

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WP No. 4078 of 2014
Sanaulla Khan v. State of Maharashtra and ors

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's Orders.

Court's or Judge's orders.

Mr Khaparde, Adv h/f Mr G. G. Bade, Adv
 for petitioner

Mr A. S. Fulzele, AGP for respondents

CORAM : B. P. DHARMADHIKARI AND
 A. P. BHANGALE , JJ

DATED : 6th January 2015

1. Heard Mr Khaparde, learned counsel for petitioner and Mr Fulzele, learned AGP for respondents. Perused the order passed by the Maharashtra Administrative Tribunal as also writ petition.

2. Effort of learned counsel for petitioner is to demonstrate that model answers circulated by the department were themselves wrong in so far as questions no. 35 and 43 are concerned. He submits that, therefore, petitioner ought to have been given more marks and in that event, he ought to have been selected.

3. The Tribunal has considered the controversy. It has found that marks given to petitioner were less than even the wait-listed candidate. Though Advocate Khaparde may be right in

his contention, but the petitioner has nowhere pleaded that had he been given those marks for answering questions no. 35 and 43, he would have secured employment. Petitioner has nowhere stated whether he has answered those questions correctly or not.

4. Merely on the allegation that model answers were wrong, petitioner cannot expect more marks if he has not correctly answered those questions at nos. 35 and 43.

5. No case is made out for interference. Petition is dismissed accordingly. No costs.

JUDGE

JUDGE

joshi