

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 3920/2014

(RAJESH PRALHAD BIDWAIKAR VERSUS STATE OF MAHARASHTRA & ANOTHER)

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

Court's or Judge's orders

Shri G.G. Bade, counsel for the petitioner.
Shri N.R. Patil, A.G.P. for the respondent-State.

**CORAM : SMT. VASANTI A. NAIK AND
A.M. BADAR, JJ.**

DATE : AUGUST 14, 2015.

By this petition, the petitioner seeks a declaration that the petitioner is entitled for the appointment on the post of Peon reserved for the Other Backward Classes from the Sports Category as the petitioner is placed at Sr.No.1 in the waiting list and Shri Sachin Pavar, who was selected, has not joined on the said post.

Shri Patil, the learned Assistant Government Pleader, states on the basis of the original Record & Proceedings and instructions from the concerned officer that no applicant would be permitted to be appointed and also join on the post of Peon from the Sports Category as the Sports and Youth Welfare Department of the Government has not yet verified the certificates submitted by the candidates to prove their eligibility in the Sports quota. It is submitted that the certificates and documents pertaining to the candidates that had applied from the Sports quota are still not verified by the Sports and Youth Welfare Department and unless they are verified, no candidate would be appointed and permitted to join on the post earmarked for the Sports Category.

Since it appears from the statement made by the learned Assistant Government Pleader that the selection process is not yet completed as the certificates tendered by the candidates are not yet verified by the Sports and Youth Department, there is no question of appointing either the petitioner or Shri Sachin Pavar on the said post.

Even otherwise, the petitioner has an alternate remedy of filing an original application before the Maharashtra Administrative Tribunal, however, since the selection procedure is yet not complete, we have disposed of the petition on the statement of the learned Assistant Government Pleader. In case, an occasion arises in future, the petitioner would be entitled to avail the alternate remedy.

In view of the aforesaid, the writ petition is disposed of with no order as to costs.

JUDGE

JUDGE

APTE