

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

WRIT PETITION NO. 4273 OF 2015

Aherar Ahmad Sabir and another

-vs-

The Amravati Municipal Corporation, Amravati through its Municipal Commissioner

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Rahul Dhande, counsel for the petitioners.
Mr. Ramesh Darda, counsel for the respondent.

CORAM : SMT. VASANTI A. NAIK &
N.W. SAMBRE, JJ.

DATE : 21.09.2015.

By this petition, the petitioners challenge the advertisement, dated 09/07/2015 in respect of the educational criteria prescribed therein for appointment on the post of Fireman. The petitioners have challenged the advertisement so far as it provides that only those candidates, who have passed the Fire Fighting Course from the Maharashtra State Fire Training Centre would be eligible for appointment.

According to the petitioners, the petitioners have passed the Fire Safety Course from the National Institute of Fire Engineering at Wardha and hence, the petitioners would be eligible for appointment on the post of Fireman. It is submitted that the Government Resolution, dated 24/06/2004 does not provide that a candidate should secure the training from the Maharashtra State Fire Training Centre. It is stated that the respondent-Corporation had illegally refused to accept the application of the petitioners.

On hearing the learned counsel for the parties and on a perusal of the affidavit-in-reply filed on behalf of the respondent, it appears that there is no merit in the case of the petitioners. The Government of Maharashtra had issued the Government Resolution, dated 24/06/2004 providing that a candidate would be required to secure the training from the Maharashtra State Fire

Training Centre. It appears that the respondent-Corporation issued the advertisement in conformity with the Government Resolution, dated 24/06/2004. It further appears from the communication issued by the Fire Extinguisher Adviser for the State Government that the Maharashtra State Fire Training Centre is the only institute in which fire fighting training is imparted. It appears that on the basis of the Government Resolution and the communication issued by the Fire Extinguisher Adviser of the State Government, the advertisement was issued. It appears that it is informed to the respondent-Corporation by the Fire Extinguisher Adviser that the Maharashtra State Fire Training Centre is the only recognized institution that imparts training in respect of fire fighting. It appears that it is informed by the Adviser of the State Government to the Corporation that the State of Maharashtra has not granted recognition to any other institute, except the Maharashtra State Fire Training Centre. It is clear from a reading of the affidavit-in-reply, the Government Resolution and the communication issued by the Fire Extinguisher Adviser to the Corporation that the Corporation rightly published in the advertisement, that it would be necessary for a candidate applying for the post of Fireman to secure the training from the Maharashtra State Fire Training Center.

Since there is no merit in the writ petition, the writ petition is dismissed with no order as to costs.

JUDGE

JUDGE