

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

WRIT PETITION NO.5849 OF 2015

[Confederation of Health Sciences, Professors of Maharashtra through its Secretary .vs. State of Maharashtra and others]

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

Court's or Judge's orders

Shri I.G. Meshram, counsel for the petitioner,
Ms. T.H. Khan, AGP for the respondent nos.1 to 3.

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CORAM : SMT. VASANTI A. NAIK AND
A.I.S. CHEEMA, JJ.

DATED : OCTOBER 28, 2015.

By this petition, the petitioner seeks a direction to the respondents to clarify and declare which posts in Private Government Aided Ayurvedic Medical Colleges and Unani Medical Colleges within the State of Maharashtra are isolated posts. The petitioner has sought the reservation for the certain posts in the Private Government Aided Ayurvedic Medical Colleges and Unani Medical Colleges.

In our view, a direction cannot be issued to the State Government to declare which posts are isolated in the Private Government Aided Ayurvedic Medical Colleges and Unani Medical Colleges within the State of Maharashtra. Whenever an advertisement is issued by the Private Government Aided Ayurvedic Medical Colleges and Unani Medical Colleges in violation of the reservation policy, the eligible candidates may challenge the same as being violative of the reservation policy. A direction, however, cannot be issued to the State Government to clarify which posts in the Private Government Aided Ayurvedic Medical Colleges and Unani Medical Colleges are isolated posts. If a petition challenging an advertisement on the ground of violation of the reservation policy is filed by the eligible candidate, this court may consider the issue.

In the circumstances, the writ petition is dismissed, with no order as to costs.

JUDGE

JUDGE

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