

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

Writ Petition No. 2707 of 2015

Sudesh s/o Bhaurao Madame

v.

The State of Maharashtra & ors.

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

Court's or Judge's orders

Mr. M.K. Kulkarni Advocate for Petitioner.

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**Coram : B.P Dharmadhikari &
S.B. Shukre, JJ.**

Date : 08th May, 2015.

Heard Advocate Kulkarni for the petitioner and learned AGP for respondents 1 and 2.

Learned Advocate for petitioner raised three contentions. First one is that the selection process was not proper, fair and impartial. Second contention is, petitioner being son of Ex-Police Patil ought to have been appointed and last contention is, selected candidate is not resident of the place for which the Police Patil came to be appointed.

With the assistance of Advocate Kulkarni and learned AGP, we have perused the papers. Maharashtra Administrative

Tribunal has found that insofar as selection process is concerned, there were no allegations of *mala fides* and challenge has not been substantiated. Even before this Court, situation is not different.

On the ground of preference to a son of Ex-Police Patil, Maharashtra Administrative Tribunal has recorded a finding that such preference is available when the other candidates and said son have secured equal marks. It has also found that selected candidate (respondent no.3) had secured more marks. This finding has not been shown to be perverse.

Insofar as last contention is concerned, the argument that Deepak Hazare is not a local candidate appears not to have been raised before Maharashtra Administrative Tribunal. Shri Kulkarni has invited attention to the original application to show a ground raised therein. AGP submits that though the ground appears to have been raised, it was not argued. We find that petitioner has not averred in the writ petition that though his counsel had argued that ground, it has not been looked into by the Maharashtra Administrative Tribunal. In this situation, with liberty to petitioner to take such other steps as are open in law in relation to said contention, we dispose of writ petition. No costs.

Judge

Judge