

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

MCA No. 1450 of 2014 In WP No. 5978 of 2012.

Nikhil 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 A. V. Bhide, Advocate for applicant
Mr D. M. Kale, AGP for respondents

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

DATED : 13th January 2015

1. Heard Mr A. V. Bhide, learned counsel for applicant and Mr D.M. Kale, learned Assistant Government Pleader for respondents no. 1 to 4.

2. This Court on 28.10.2014 did not entertain writ petition after noticing that petitioner could not demonstrate that application submitted by him was accompanied by all necessary certificates and there was no averment in writ petition that along with said application documents disclosing him to be candidate from sports category were enclosed. Other fact which weighed with this Court was, one Ashish Dudhane who was already appointed, was not joined as party-respondent.

3. In review, Advocate Bhide submits that Ashish Dudhane till April 2014 was working in a private company and, therefore, the contention of respondents before this Court that employment was given to him, was incorrect. He further states that the Maharashtra Knowledge Corporation Limited who had undertaken the recruitment process had corrected the mistake initially committed by it. He has

invited our attention to the application moved by present petitioner immediately on 14th March 2012 itself seeking that correction.

4. Learned counsel also states that fact that no employment was offered to Ashish Dudhane came to the knowledge of petitioner after obtaining information under the Right to Information Act.

5. This Court refused to interfere on two grounds. This Court then found that disputed questions of fact arise. Request made by petitioner for correction of his category may not be of any assistance in the background of finding recorded by this Court about the averments in the petition and the contents of application.

6. This Court had given liberty to petitioner to approach competent forum where disputed questions can be examined. As such, no case is made out warranting review. Application rejected. No costs.

JUDGE

JUDGE

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