

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

922 WRIT PETITION NO. 202 OF 2015

ANAND PURUSHOTTAM MANDE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioners : Mr. Awasarmol Rahul O. And
Mr. Sunil V Kale

AGP for Respondents State: Mrs. M. A. Deshpande

Advocate for Respondent No.2 :Mr. S. S. Thombare

Advocate for respondents 3 to 11: Mr. Rahul D. Khadap

**CORAM : S. V. GANGAPURWALA &
K. L. WADANE, JJ.**

DATE : 23rd August, 2016

ORDER:

1. Mr. Awasarmol, learned Advocate for the petitioner submits that pursuant to the advertisement issued by respondent No.2 for selection of various posts including posts of Junior Assistant-cum-Data Entry Operator, the petitioner had applied. In the said selection process, respondent Nos. 3 to 5 have been given appointment orders by ignoring merits of other persons who were at Serial Nos.1 to 3 in the merit list. The selection committee has given appointment orders to five open (women), though six posts were reserved for the open (women). The selection committee has not given appointment order to any Scheduled Caste Women though interview was conducted and result sheet is prepared. The learned counsel submits that large scale irregularities have been committed during the

selection process. More meritorious candidates have been excluded. Meritorious candidates have secured more marks in written examination but the respondents have given more marks in oral examination to other candidates who have secured less marks. The same is illegal.

2. We have heard learned AGP also.

3. While considering the merits, cumulative marks obtained by the candidates in written and oral examinations are to be considered. Considering the commutative marks, merit list was prepared. Even otherwise, the petitioner nowhere stands in the merit as per the selection list. We could have considered the submissions of the learned counsel for the petitioner had the petitioner stood in the order of merit. The persons whom the petitioner states are more meritorious than respondents 3 to 5, those candidates are not making any grievance about their non selection. Certainly, the petitioner could not prosecute the case for them.

4. In the light of above, no relief can be granted to the petitioner. As such, writ petition is disposed of. No costs.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)

JPC