

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

WRIT PETITION NO.1027 OF 2016

Kamlakar s/o. Madhukar Nagbhujanage,
Age 24 years, Occ. Nil,
r/o. Nitur, Tq. Nilanga,
Dist. Latur

..Petitioner

Vs.

The State of Maharashtra
Through Secretary,
State Transport Department,
Mantralaya, Mumbai
and ors.

..Respondents

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Mr.S.M.Vibhute, Advocate for petitioner

Mr.A.G.Magre, AGP for respondent no.1

Mr.R.D.Reddy, Advocate for respondent nos.2 to 4

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**CORAM : S.S. SHINDE AND
SANGITRAO S. PATIL, JJ.**

DATE : JULY 07, 2016

PER COURT :

Heard the learned Counsel appearing for the
petitioner, the learned AGP appearing for
respondent no.1 and the learned Counsel appearing
for respondent nos.2 to 4

2. In pursuance of the notices issued, respondent nos.2 to 4 have filed an affidavit-in-reply. It is stated in the affidavit-in-reply that the respondent – Corporation has not adopted the Government Resolution dated 12.10.2010. It is submitted that the petitioner does not possess the requisite qualification of I.T.I.

3. The learned Counsel for the petitioner, relying on the aforesaid Government Resolution, submits that the Trade 'Auto-E-Technician' with one year's apprenticeship in Maruti Suzuki, may be considered equivalent to the qualification of a candidate who has completed course from I.T.I.

4. Upon considering the arguments advanced by the learned Counsel for the parties, perusal of the pleadings in the petition and the affidavit-in-reply filed on behalf of respondent nos.2 to 4, in

our view, the said Government Resolution cannot be considered in view of the fact that the said Government Resolution has not been adopted by the respondent – Corporation. Therefore, as per the advertisement, the petitioner does not possess the requisite qualification for the post of Assistant Engineer. In that view of the matter and since the petitioner does not possess the I.T.I. Qualification, we are unable to accede to the prayers made in this petition.

5. Hence, the Writ Petition stands dismissed. No costs.

[SANGITRAO S. PATIL, J.]

[S.S. SHINDE, J.]

kbp