

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.10974 OF 2016

Mohan S/o Sonaji Giri

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr. A.A. Gadekar advocate for the petitioner

Mr. A.S. Shinde, AGP for Respondent Nos. 1 to 3

CORAM : R.M. BORDE &

SANGITRAO S. PATIL, JJ

(Date : 15th November, 2016.)

PER COURT :-

1 The petitioner is objecting to the decision rendered by the Maharashtra Administrative Tribunal in Miscellaneous Application No.270 of 2014 in Original Application Stamp No.827 of 2014, seeking condonation of delay caused in presenting the Original Application.

2 The Original Application is presented, challenging the appointment of respondent No.4 made in the year 2008 on the post of Talathi, from amongst the project affected persons (PAP) category. The petitioner also participated in the process of selection and was found less meritorious than respondent No.4.

The petitioner, having participated in the process of selection, cannot challenge the said process and consequent appointment of respondent No.4 made, way back in the year 2008.

3 Reliance placed by the petitioner on the Government Resolution, facilitating appointment of the persons from PAP category, directly, without undergoing the process of recruitment, applicable to the general class, is also erroneous, since the said resolution is contrary to the decision of the full bench of this Court in the matter of **Rajendra Pandurang Pagare & anr. Versus State of Maharashtra & Ors (2009 (4) Bom. C.R. 928.**

4 The belated application tendered by the petitioner has rightly been turned down by the Maharashtra Administrative Tribunal. No interference is called for in exercise of extraordinary jurisdiction under article 226 of the Constitution of India. The petition is devoid of substance and hence stands dismissed.

(SANGITRAO S. PATIL, J)

(R.M.BORDE, J)