

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

WRIT PETITION NO.525/2015
Wasimkhan Ahamadkhan Pathan

...Versus...

Maharashtra State Electricity Distribution Company through its Chief Engineer,
Amravati Region, Akola

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

Court's or Judge's orders

Shri S.S. Ghate, Advocate for petitioner
Shri S.V. Purohit, Advocate for respondent

CORAM : SMT. VASANTI A. NAIK AND
A. S. CHANDURKAR, JJ.

DATE : 11.01.2016

By this petition, the petitioner challenges the communication of the respondent, dated 4.12.2014 informing the petitioner that the petitioner was ineligible for appointment on the post of Substation Assistant.

In pursuance of an advertisement issued by the respondent, the petitioner had applied for the post of Substation Assistant. Apart from the other qualifications, a candidate was required to possess apprentice training of one year under the erstwhile MSEB/MSEDCL. It was also mentioned in the advertisement that in case the candidate has an experience of working at any place other than MSEB/MSEDCL, his training period and experience period should not be overlapping. The petitioner appeared at the written examination and his name was placed in the select list. When the petitioner was called for verification of documents, it was noticed by the respondent that the petitioner did not secure apprentice training from the erstwhile MSEB/MSEDCL, but he had secured the training from

CSTPS - Chandrapur Super Thermal Power Station. According to the respondent, since the petitioner did not possess the required apprentice training with a Power Distribution Company, the candidature of the petitioner was rejected.

On hearing the learned Counsel for the parties and on a perusal of the affidavit-in-reply filed on behalf of the respondent as also the advertisement, it appears that the candidature of the petitioner was rightly rejected by the respondent. The advertisement clearly mentioned that the candidate was required to have one year apprentice training either with the erstwhile MSEB/MSEDCL. Though the petitioner did not secure the apprentice training under the erstwhile MSEB/MSEDCL, the petitioner had wrongly mentioned in respect of securing the training from the two aforesaid companies in the application form. It was, however, noticed by the respondent at the time of verification that the petitioner secured the training from CSTPS and not from MSEB or MSEDCL. The respondent had required the apprentice training from a Power Distribution Company for the post of Substation Assistant and the training from a Power Generation Company was not required as the experience in respect of power generation was very different from the experience in power distribution. After verifying the documents of the petitioner, the respondent rightly held that the petitioner was ineligible as he did not possess the requisite experience.

Since the impugned communication/order is just and proper, we dismiss the writ petition with no order as to costs.

JUDGE

JUDGE