

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

**WRIT PETITION NO.248/2016**

**Ashutosh Ramesh Shambharkar**

**...Versus...**

**State of Maharashtra, Through its Secretary, Industries, Energy and Labour**  
**Department, Mantralaya, Mumbai – 32 and others**

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

Shri S.D. Khati, Advocate for petitioner  
Shri N.R. Rode, AGP for respondent nos.1 and 2

**CORAM : SMT. VASANTI A. NAIK AND**  
**V.M. DESHPANDE, JJ.**

**DATE : 30.03.2016**

By this petition, the petitioner challenges the advertisement published by the respondent no.3 – Member Secretary, Regional Selection Committee and Manager, Central Jail Press, Nagpur, dated 15.11.2013 being contrary to the policy of the State Government as reflected in the Government Resolution, dated 19.10.2007. Admittedly, the petitioner has applied in pursuance of the advertisement, dated 15.11.2013. After having participated in the selection process, the petitioner cannot turn around and challenge the advertisement. It is held by the Hon'ble Supreme Court from time to time that a candidate cannot be permitted to challenge the selection process after participating in the same. It would be necessary to refer to the

judgments of the Hon'ble Supreme Court, reported in **2009 (3) SCC 227, 2008 (4) SCC 171, 2010 (12) SCC 576 and 2011 (1) SCC 150** in this regard.

Since the petitioner is not entitled to file the writ petition after participating in the selection process, the writ petition is dismissed with no order as to costs.

**JUDGE**

**JUDGE**

Wadkar