

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

**WRIT PETITION NO.670/2015**

**Akash s/o Pravin Barse**

**...Versus...**

**The Chief General Manager (H.R.) Maha Transco, Maharashtra State Electricity**  
**Transmission Company Ltd., Prakashgarh, Mumbai - 400051**

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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 A.D. Girdekar, Advocate for petitioner  
Shri D.M. Kale, Advocate for respondent

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

**DATE : 28.01.2016**

The petitioner herein has raised a challenge to the selection list dated 1.12.2014 that has been published by the respondent with regard to the post of Junior Engineer (Transmission). Pursuant to advertisement dated 8.1.2014 in which 247 posts of Junior Engineers were sought to be filled, the petitioner applied for one of the posts from the Open Sports Category. After completion of the recruitment process, the list of eligible candidates was published and the petitioner was shown at serial No.144. In the final select list, however, which was published by 1.12.2014 the petitioner was not selected. Hence, a challenge is raised to the aforesaid list.

Shri A.D. Girdekar, the learned Counsel for the petitioner submitted that in terms of the advertisement issued by the respondent, the petitioner was entitled for being selected on the post which was reserved for sports persons. He submitted that the petitioner had participated in the Junior National Hockey Championship in the years 2006 and 2008 and therefore, he was eligible for being considered in the sports quota. He submitted that no candidate was appointed from said quota and instead the respondent selected candidates from the open category who did not satisfy the aforesaid requirement.

Shri D.M. Kale, the learned Counsel for the respondent by referring to the affidavit-in-reply submitted that in all ten candidates had applied from the sports quota but none of the candidates satisfied the requirements of Government Resolution dated 30.4.2005 and hence, the said four posts were filled in on the basis of merit. He submitted that the merit list for the open category was closed at 76.80 marks while the petitioner had secured 55.60 marks. He, therefore, submitted that the petitioner was not eligible for being selected.

In the advertisement issued by the respondent, it has been stated that there would be 5% reservation for sports persons in terms of Government Resolution dated 30.4.2005. In said Government Resolution, it has been stipulated that candidates participating in the National Championships should have been selected from the State and that the tournament in question should have been organized by an organization affiliated to the Indian Olympic Committee.

Perusal of the certificates placed on record by the petitioner does not indicate that the same satisfy the requirements of Government Resolution dated 30.4.2005. The non-consideration of the petitioner from the sports quota therefore appears to be justified. Even otherwise, the petitioner having obtained 55.60 marks which was much below the cut off marks, no fault can be found with the non-selection of the petitioner.

In view of aforesaid, no case is made out to interfere in the writ jurisdiction. The writ petition is, therefore, dismissed. No costs.

**JUDGE**

**JUDGE**

Wadkar