

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

MCA NO. 407/2015 IN WRIT PETITION NO. 1742 OF 2014

(Shri Amrut Veshwant Mate vs. State of Maharashtra thr. its Secretary, Rural Development
Department & Anr.)

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

Court's or Judge's orders

**CORAM : B.P. DHARMADHIKARI &
V.M. DESHPANDE, JJ.
JANUARY 04, 2016.**

Heard Shri Kulkarni, learned counsel for the applicant/ petitioner, Shri Ahirkar, learned AGP for respondent No. 1 and Shri Khobragade, learned counsel for respondent No. 2.

Shri Kulkarni, learned counsel has reiterated his arguments and placed emphasis upon the provisions of the persons with the Disabilities (Equal Opportunities, Protection of Rights & Full Participation) Act, 1995. He states that a person who suffers mental illness or mental retardation is expressly covered by the definition of disability and as such, the judgment calls for review.

The learned AGP as also Shri Khobragade, learned counsel state that this Court has in paragraphs 7 & 8 overruled this argument by holding that such disabled person must be suitable to hold the some post either then available or becoming available in future.

Shri Khobragade, learned counsel submits that the present petitioner is not in a position to even enter into any contract.

After hearing respective counsel, we find that this Court has already considered this argument and rejected it.

As such, no case for review is made out. Review application is rejected. No costs.

JUDGE

JUDGE

*GS.