

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 2395/2016

(VIJAY SURESHRAO JADHAV **VERSUS** COLLECTOR AND CHAIRMAN, DISTRICT SELECTION
COMMITTEE, CHANDRAPUR & OTHERS)

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

Court's or Judge's orders

Shri R.S. Kurekar, counsel for the petitioner.
Mrs. G.R. Tiwari, A.G.P. for the R-1.
Mrs. I.L. Bodade and Shri G.G. Mishra, counsel for the R-2 & 3.
Shri N.B. Kalwaghe, counsel for the R-4.

CORAM : SMT. VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATE : NOVEMBER 23, 2016.

Heard.

By this writ petition, the petitioner challenges the appointment of the respondent no.4 on the post of Junior Accounts Officer.

The petitioner and the respondent no.4 had applied in pursuance of an advertisement issued by the respondent no.1 for appointment on the post of Junior Accounts Officer. One of the conditions of eligibility for appointment was that the candidate should have experience of working as an accountant for five years in a government office, partnership firm, or a local authority. The petitioner had secured 164 marks as against 154 marks secured by the respondent no.4. According to the petitioner, the petitioner ought to have been selected on the post of Junior Accounts Officer and the action on the part of the respondent no.1 in selecting the respondent no.4 is bad in law.

The challenge to the appointment of the respondent no.4 should fail in view of the criteria of eligibility in the advertisement. Admittedly, the petitioner does not possess five years experience in government office or local body or authority or with the partnership firm. The respondent no.4 possesses the said experience. Merely because the petitioner had secured more marks than the respondent no.4, the petitioner cannot seek his appointment on the said post when the petitioner does not fulfill the criteria of experience. The respondent no.1 was justified in rejecting the candidature of the petitioner and granting appointment to the respondent no.4.

Since we do not find any fault with the appointment of the respondent no.4 in the circumstances of the case, we dismiss the writ petition with no order as to costs.

JUDGE

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