

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

Writ Petition No. 941 of 2016

Mahebb v. The State of Maharashtra and ors

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

Court's or Judge's orders

Shri S. D. Chande, Advocate for petitioner
Shri V. P. Maldhure, Asst. Govt. Pleader for respdt no.1
Shri P. B. Patil, Advocate for respondent no. 2

Coram : Smt. Vasanti A Naik And
Mrs Swapna Joshi, JJ

Dated : July 29, 2016

By this writ petition, the petitioner has sought a direction against the respondent nos. 2 and 3 to appoint the petitioner on the post of Shikshan Sevak.

According to the petitioner, though the petitioner has secured 108 marks in the written examination that was conducted for testing the knowledge of the candidates for appointment to the post of Shikshan Sevak, the name of the petitioner does not find place in the Select List whereas the name of one Priyanka Dipak Dangevar appears in the list of selected candidates. It is stated that it would be necessary for the respondents to appoint the petitioner on the post of Shikshan Sevak.

Shri P. B. Patil, the learned counsel for the respondent no. 2 states on instructions received from the respondent no. 2 vide communication dated 23.5.2016 that the cut-off marks for appointing a candidate from NT (B) category from which the petitioner has applied, are 134 and since the petitioner has secured less than 134 marks, the petitioner cannot be considered for appointment. It is stated

that it is not the case of the petitioner that any person who has secured lesser marks than the petitioner, has actually been appointed on the post of Shikshan Sevak from NT (B) category while refusing the appointment to the petitioner.

In view of the statement made on behalf of the respondent no. 2, we do not find any merit in the claim of the petitioner for appointment to the post of Shikshan Sevak. If the cut-off marks for appointment of a candidate from NT (B) category on the post of Shikshan Sevak are 134 and if the petitioner has secured 108 marks, the petitioner cannot be given appointment on the post of Shikshan Sevak. We do not find anything in the writ petition to point out that any candidate that has secured lower marks than the petitioner, is appointed on the post of Shikshan Sevak from NT (B) category. Hence, we dismiss the writ petition with no order as to costs.

JUDGE

JUDGE

joshi

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H S Joshi, Ps to honourable Judge

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2.8.2016