

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2669 OF 2008

Subhash s/o Tukaram Alone,
Age : 32 years, Occu. Service,
R/o Satpuda Bids Room No. 2,
Sneha Nagar, Police Colony,
Nanded, District Nanded

PETITIONER

VERSUS

1. The State of Maharashtra,
through its Secretary,
Home Department,
Mantralaya, Mumbai-32
2. The Additional Director
General of Police, C.I.D.,
Maharashtra State, Pune
3. Special Inspector General
of Police, S.C.R.B., C.I.D.,
Maharashtra State, Pune

RESPONDENTS

Mr. R.R. Suryawanshi, Advocate for the petitioner
Mrs.V.N. Patil-Jadhav, A.G.P. for respondent Nos.1 to 3

CORAM : T.V. NALAWADE AND
SANGITRAO S. PATIL, JJ.

DATE : 14th JUNE, 2017

ORAL JUDGMENT (PER : T.V. NALAWADE, J.):

Heard the learned counsel for the petitioner
and the learned A.G.P. for the respondents.

2. The order dated 5th December, 2007 passed by the Maharashtra Administrative Tribunal, Mumbai, Bench at Aurangabad ("Tribunal", for short) in Original Application No.609 of 2007 and the order dated 8th January, 2008 passed by the Tribunal in Review Application No.1 of 2008, are under challenge in this petition. The said Original Application was filed by the present petitioner to challenge rejection of his candidature for the post of Assistant State Examiner of Documents.

3. As per the requirements, the candidate ought to have completed B.Sc. with Chemistry as principal subject and Physics as subsidiary subject. The petitioner had passed B.Sc. with Physics, Chemistry and Mathematics subjects and was not possessing a degree with Chemistry as principal subject. In view of circumstances, it was held by the Tribunal that the petitioner was not eligible for the post and he was not called for the written test and interview. Considering the nature of the post and as it is the right of the employer to ascertain the eligibility conditions/criterion, we hold that the Tribunal has not committed any error in dismissing the Original Application as well as the

Review Application against the petitioner. We do not find any reason to interfere in the impugned orders passed by the Tribunal. In the result, the Writ Petition is dismissed. No costs. Rule is discharged accordingly.

[SANGITRAO S. PATIL]
JUDGE

[T.V. NALAWADE]
JUDGE

npj/wp2669-2008