

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

**BENCH AT AURANGABAD.**

**WRIT PETITION NO.10160 OF 2017**

Shailesh S/o Ambadas Meghle ... Petitioner.

Versus

The State of Maharashtra  
and others. ... Respondents.

...

Mr.K.B.Jadhav, advocate for the petitioner.  
Mrs.A.V.Gondhalekar, Additional Government  
Pleader for the State.  
Mr.B.G.Sagade Patil, advocate for Respondent  
No.3.

...

**CORAM : S.V.GANGAPURWALA AND  
MANGESH S. PATIL, JJ.**

**Date : 14.08.2017.**

**PER COURT :**

1. The petitioner assailed the selection of Respondent No.3 as a Police Patil before the Maharashtra Administrative Tribunal, Bench at Aurangabad. The Tribunal dismissed the Original

Application. Aggrieved thereby, the present petition.

2. Mr.Jadhav, learned counsel for the petitioner strenuously contends that the petitioner had secured 50 marks in written examination, whereas Respondent No.3 secured only 47 marks in written examination. However, as Respondent No.3 has affiliation to a political party, in oral the Respondent No.3 is given 12 marks, whereas the petitioner is given only 8 marks. The learned counsel submits that the post of Police Patil is class III post and for selection of Police Patil, oral interview are not permissible, as such written marks only ought to have been considered. The learned counsel further submits that Respondent did not have any landed property in the said village. This aspect has also not been considered in its correct perspective by the Tribunal.

3. The learned counsel for the Respondent No.3 supports the order.

4. We have also heard learned Additional Government Pleader.

5. Except the bald allegations of malafides or irregularity being adopted at the time of conducting oral interview no policy of the State Government has been placed on record to suggest that oral interviews are not to be conducted. The selection process will have to be conducted as laid down in the advertisement pursuant to which the petitioner and Respondent No.3 applied for the post of Police Patil. The marks in the oral interview are based on subjective satisfaction arrived at upon objective assessment.

6. As far as landed property is concerned, the Tribunal has observed that the Respondent No.3 has produced public documents which shows that Respondent No.3 possesses agricultural land and other landed property in the said village.

7. Considering above, no error has been committed by the Tribunal. The Writ Petition is

dismissed. No costs.

**(MANGESH S. PATIL, J.)**

**(S.V.GANGAPURWALA, J.)**

asp/office/wp10160.17

