

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

WRIT PETITION NO. 6745 OF 2014

Laxmikant Narayan Manawar .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Shri S. D. Joshi, Advocate h/f Shri A. B. Rajkar, Advocate for the
Petitioner.

Mrs. A. V. Gondhalekar, Addl.G.P. for All Respondent/State.

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

DATE : 18TH AUGUST, 2017.

FINAL ORDER :

. The petitioner assails the order of the Maharashtra Administrative Tribunal. Mr. Joshi, the learned counsel for the petitioner submits that, the petitioner has the necessary qualification that is diploma in Medical Laboratory Technology from the institute of Public Health and Hygiene. Same is recognized by Government of India, so also many State Governments. The respondents in respect of similarly situated candidates who had the certificate from the same institute had accepted candidature, however, in case of the petitioner the same is negatived. Discriminatory treatment has been given to the petitioner. The learned counsel further submits that, the certificate itself states that, the Institute of Public Health and Hygiene, which has issued the certificate is recognized and

approved by the Central and several State Governments.

2. The learned Additional Government Pleader submits that, the condition in the advertisement itself prescribes that the institute from where the candidate has passed the course should be recognized by the D.M.L.T. Maharashtra State and the institute of public health and hygiene, which has issued certificate is not recognized by the D.M.L.T. Maharashtra State.

3. Once having participated in the selection process, the candidates are bound by the terms and conditions governing the selection process. The condition No. 9 of the advertisement categorically states that, the qualification will be considered only from the institute recognized by the D.M.L.T. Maharashtra State.

4. Nothing is brought on record to show that the said institute which has issued the certificate to the petitioner of Diploma in Medical Laboratory Technology is recognized by the D.M.L.T. Maharashtra State.

5. In the light of the above, no error has been committed by the Tribunal. The writ petition as such is disposed of. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]