

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7275 OF 2016

Dr. Pravin Shivsing Bainade

.. **Petitioner**

Versus

Vasantrao Naik Marathwada Krishi
Vidyapeeth, Parbhani,
Through its Registrar

.. **Respondent**

Shri S. R. Barlinge, Advocate for the Petitioner.

Shri Shirish G. Sangle, Advocate for Respondent / Sole.

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

DATE : **14th September, 2017**

PER COURT :

1. Mr. Barlinge, learned counsel for the petitioner submits that the petitioner had applied for the post of Programme Coordinator from amongst the candidates for disciplines other than engineering subject. The petitioner had the necessary qualification and the experience, still the name of the petitioner was placed in the list of ineligible candidates. The learned counsel submits that still there are 2 posts vacant. The minimum experience required was of 8 years. The petitioner had an experience of 9 years and 11 months. According to the learned counsel, the respondent have failed to consider the case of the petitioner in proper perspective.

2. Mr. Sangle, learned counsel for the respondent submits that the petitioner had worked on a consolidated salary and was

never in the pay band as prescribed in the advertisement. The selection process was completed on 30th June, 2016 and the present petition is filed in July-2016. Even, petitioner had approached the Grievance Committee. The Grievance Committee rejected the grievance of the petitioner. The learned counsel submits that as the petitioner was on a consolidated salary his case could not have been considered.

3. Mr. Barlinge, learned counsel submits that reason given for holding the petitioner ineligible was only that the petitioner has a less qualifying experience whereas the petitioner had experience of more than 10 years.

4. We have considered the submissions.

5. The advertisement requires following qualification and experience:

“QUALIFICATIONS AND EXPERIENCE

Post at Sr. No. 1 – Programme Co-ordinator

(A) For disciplines other than Engineering Subject

Doctoral degree in relevant subject including relevant basic sciences with 8 years experience in the relevant subject as Scientist/Lecturer/extension Specialist or in an equivalent position in the pay band-3 of Rs. 15600-39100 with Grade pay of Rs.5400/- Rs.6000 Rs.7000/- Rs. 8000/- having made contribution to research/teaching/extension education as evidenced by published work/innovations and impact.”

6. The experience certificate produced on record by the petitioner shows that for 2 years and 7 months petitioner worked on a consolidated pay of Rs.10,000/- and for 7 years and 11 months worked on a consolidated pay of Rs.32,000/-.

7. Perusing the advertisement it is manifest that the petitioner was required to work in a pay band of Rs. 15600-39100 with Grade Pay as laid down in the advertisement. As stated above, the petitioner had approached the Grievance Committee and Grievance Committee has rejected the claim of the petitioner.

8. The list of ineligible candidates was published after the grievance of the petitioner was attended on 7th April, 2016. Final list was published on 20th April, 2016.

9. Considering the fact that the selection process had concluded and that, as per the advertisement the petitioner does not have any experience of working in the pay band as required, the grievance of the petitioner now cannot be considered.

10. The writ petition as such is dismissed. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]