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

WRIT PETITION NO.7008 OF 2004

Dattatray s/o Meshram Shelke ... PETITIONER

VERSUS

Maharashtra Public Service Commission ... RESPONDENT

.....

CORAM: RAVINDRA .V. GHUGE AND
 SUNIL K. KOTWAL, JJ.

DATED : 2nd NOVEMBER, 2017.

ORAL ORDER :

1. None for the petitioner.

2. By this petition, the petitioner had put forth a request seeking verification of the marks memo, which was refused by the respondent Maharashtra State Public Service Commission, as the request was submitted by the petitioner by post on 29/4/2004, beyond the cut-off date.

3. Despite service of Court notice, none has caused appearance on behalf of the respondent.

4. Instead of dismissing this petition in default, we are considering it on merits.

5. The petitioner had appeared for the examination for appointment of Police Inspectors, LTD Department Examinations on 29/6/2003. The respondent sent the result dated 6/3/2004 to the petitioner, informing him that he had not qualified. The petitioner had sought verification of his marks. The respondent refused verification, since the said exercise is permissible only within one month from the date of the declaration of the result. As the result was declared on 6/3/2004 and the petitioner sought verification of the marks on 29/4/2004, his application was rejected. The petitioner contends that, he received the marks memo on 12/4/2004.

6. This Court had issued notice in the matter on 18/11/2004 and had not granted any interim relief to the petitioner.

7. This petition is pending for the last 13 years and the petitioner is about 49 years old today.

8. Notwithstanding the fact that this petition is rendered infructuous, we find that the verification exercise of the marks

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was permitted for a period of one month from the date of the result. The said period had expired. It would serve no purpose even if we order the respondents to consider the request of the petitioner after 13 years considering his contention that he received the marks memo on 12/4/2004.

9. This petition being devoid of merits, is, therefore, dismissed.

10. Rule is discharged.

(SUNIL K. KOTWAL)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

fmp/