

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 716 OF 2014**

Shri Deelip Dnyanoba Mane

....Petitioner.

Vs.

The State of Maharashtra & Ors.

....Respondents.

Mr. Mahesh Chandanshiv for the Petitioner.

Ms. Nisha Mehra, AGP for Respondent No.1.

Mr. G.K.S. Hegde a/w C.M. Lokesh for Respondent Nos. 2 and 3.

**CORAM : ANOOP V. MOHTA AND
RAVINDRA V. GHUGE, JJ.**

DATE : 5 APRIL 2017.

ORDER:-

1. Upon hearing the learned counsel appearing for the respective parties, we are inclined to dispose of the present Writ Petition. In pursuance to order dated 31 March 2015, which is reproduced as under:-

“Considering the documents filed on record, including the Medical Certificate where the height of the Petitioner is stated as 160.5 cm., whereas, the document of Respondents dated 27 May 2013, shows the height of the Petitioner 156.5 cm. This resulted into the denial to the post of Junior Conductor.

2 *Therefore, at this stage, considering the averments made, the Petitioner's height be determined*

by the Medical Board of J.J. Hospital, Mumbai and submit the report in a sealed envelop within two weeks from today. This process be completed through Respondent Nos. 2 and 3.

3 *Stand over to 15 April 2015.”*

we have granted one more chance to the Petitioner and directed the Hospital to verify his height.

2. A sealed envelop is placed on record by the office of the Dean, Sir J.J. Groups of Hospitals, Byculla dated 3 April 2017. We have perused the report whereby, it is re-confirmed that the height of the Petitioner as certified, is 157.5 cm. The required height is 158 cms. This was even the case of the Respondents since the day one. The said letter dated 3 April 2017, is taken on record and marked “X” for identification.

3. In view of above, we see no reason to keep this Petition pending and it is disposed of, since the Petitioner is not entitled to the said post for want of requisite height. No costs.

(RAVINDRA V. GHUGE, J.)

(ANOOP V. MOHTA, J.)