

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2702 OF 2015

Manoj Pralhad Dubale

.... Petitioner

Versus

The Director General of Police & Anr.

.... Respondents

Mr. Pratap Patil for Petitioner.

Mr. C.P.Yadav, AGP for Respondents/State.

**CORAM : R. M. BORDE AND
 A. S. GADKARI, JJ.
DATE : FEBRUARY 28, 2017.**

P.C.

. The Petitioner is objecting to the order passed by the Maharashtra Administrative Tribunal, Mumbai in Original Application No. 474 of 2014.

2. The Petitioner is a wait listed candidate and claiming parity with Smt. Jamadar. Smt. Priadarshini Jamadar was also a wait listed candidate. The selected candidate, Shri Sudhir Shankar Chandhalia was lower in merits than Smt. Jamadar. Smt. Jamdar objected to selection of Shri Chandhalia by presenting Original Application to Maharashtra Administrative Tribunal. On

consideration of the prayer made by Smt. Jamadar in Original Application No. 290 of 2012 she was directed to be appointed in place of Shri Chandhalia, since it was noticed that she is ranked higher in merit. So far as the Petitioner's case is concerned, he cannot claim parity with Smt. Jamadar and decision in Original Application No. 290 of 2012 cannot be made applicable to instant petition. The facts giving rise to the petition presented by Smt Jamadar are totally different. The wait list prepared by the Respondent was operative only for a period of twelve months, which period has already expired. The Petitioner does not have any right to claim employment on the basis of his placement in the waiting list. The Maharashtra Administrative Tribunal has adopted a reasonable and correct approach. No interference is called for in exercise of the extra ordinary jurisdiction under Article 226 of the Constitution of India.

3. The writ petition is devoid of merits and stands rejected.

[A. S. GADKARI, J.]

[R. M. BORDE, J.]