

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION No. 5617 of 2017.

Satyawar G. Bathe & OrsPetitioners.

Vs

Addl. Commissioner (Admn)

Pune City President Police

Recruitment 2017Respondent.

Mr. Parag Bhosale Advocate for the Petitioners.

Mr. Vikas Mali, AGP for the State.

**CORAM : A.S. GADKARI
& C.V. BHADANG, JJ.****DATE : 18th May, 2017.
(VACATION BENCH)**

P.C.

1) By this petition the petitioners are seeking a direction to the Additional Commissioner (Admn) Pune City President Police Recruitment Committee 2017 to consider the respective sports verification certificates of the petitioners and to include their names in the final provisional merit list.

2) The petitioners are sportsmen in various games and are claiming the benefit of the recruitment against 5% quota reserved for sports category in the police recruitment process.

It appears that in so far as petitioner Nos. 1 to 5 are concerned, they were placed in the provisional select list subject to verification of the requisite certificates, while in so far as petitioner No. 6 and 7 are concerned, they were provisionally placed in the wait list subject to verification of the certificates.

3) According to the respondent, as per the Government Resolution dated 1st July, 2016, it was necessary for the petitioners to get their sports certificates verified from the Deputy Director of Sports which they had failed to do. On behalf of the respondents, reliance is placed on clause 4 (v) of the Government Resolution dated 1st July, 2016.

4) We have heard the learned counsel for the petitioners and the learned Additional Government Pleader for the Respondents.

5) On behalf of the petitioners reliance is placed on the decision of this Court in Writ Petition No.5122 of 2017 dated 28th April, 2017. It is contended that in similar circumstances this Court had permitted the petitioner therein to make a representation which respondent no.1 can consider by

conducting appropriate scrutiny. The learned counsel for the petitioners is seeking similar order.

6) The learned Additional Government Pleader in all fairness submits that if the petitioners make a representation, the same shall be considered and decided in accordance with law.

7) In such circumstances, the petition is disposed of with a direction to the petitioners to file a representation with respondent no.1 on or before 24th May, 2017. If such a representation along with the copies of necessary documents, is filed the respondent shall consider the same and take appropriate decision in accordance with law. Rival contentions on merits are left open. Writ petition is disposed of in the aforesaid terms.

8) All concerned to act upon an authenticated copy of this order.

(C.V. BHADANG,J)

(A.S. GADKARI,J)