

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

**WRIT PETITION NO.6752 OF 2016**

Vijayrao Sadashiv Kaygude

...Petitioner

vs.

The State of Maharashtra and Anr.

...Respondents

Mr. L.S. Deshmukh, for the Petitioner

Mr. Sandeep Babar, AGP for the Respondent-State.

Mr. A.S. Alaspurkar, for the Respondent No. 2.

**CORAM : SHANTANU S. KEMKAR &  
M. S. SONAK, JJ.**

**DATE : JULY 25, 2017**

P.C.:

. Challenging the action of cancellation of the candidature for the post of Deputy Executive Engineer on the ground that the Petitioner has failed to produce the Non-Creamy layer Certificate along with the application (before the last date of filing of the application Form), the Petitioner has filed this Petition.

2. The learned counsel for Respondent No. 2 has placed reliance on two Division Bench Judgments of this Court in respect of the same advertisement issued by the Respondent No. 2 against the same rejection order based on the same grounds to contend that this Petition also deserves to be dismissed.

3. The judgments on which he placed reliance are -

- (1) **Abhijeet Yadaorao Thakre and Ors. vs. The Chief General Manager and Ors. in Writ Petition No. 1348 of 2016 dated 7<sup>th</sup> September, 2016.**
- (2) **Harika Prasannakumar Buggawari vs. Maharashtra State Power Generation Co. Ltd, Mumbai and Anr. in Writ Petition No. 3356 of 2016 dated 21<sup>st</sup> October, 2016.**

4. Having gone through the aforesaid two judgments, we find that the question involved in this Petition has already been considered and decided by the aforesaid two Division Bench orders of this Court.

5. We find no ground to take a different view.

6. In the circumstances for the reasons stated in the aforesaid cases, this Petition fails and is hereby dismissed.

(M. S. SONAK, J.)

(SHANTANU S. KEMKAR, J.)