

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1151 OF 2018

Nitin Dnyanoba Pawar

.. **Petitioner**

Versus

The State of Maharashtra and others .. **Respondents**

Mr. Tukaram M. Venjane, Advocate for the Petitioner.

Mr. S. P. Tiwari, A.G.P. for Respondent No. 1.

Mrs. Ranjana D. Reddy, Advocate for Respondent Nos. 2 and 3.

CORAM: S. V. GANGAPURWALA &
R. G. AVACHAT, JJ.

DATE: 17th DECEMBER, 2018

PER COURT :

1. Mr. Venjane, learned counsel submits that pursuant to the advertisement the petitioner had applied for the post of Assistant (Junior). The petitioner secured 70 marks. The petitioner had applied from Open (Apprentice) category. Eighteen posts were meant for open category, 50% were reserved for Apprentice category. The learned counsel submits that the persons having less marks have been given appointment. According to the learned counsel, procedure adopted by the respondents is erroneous.

2. Mrs. Reddy, the learned counsel for the respondents submits that the other candidate appointed from Open (Apprentice) category has secured 74 marks. The petitioner has secured only 70 marks.

3. The petitioner can compete to the post for which he has applied. The petitioner applied from Open (Apprentice) category. Nine posts were meant for Open (Apprentice) category. On affidavit the statement is made by the respondents that the last candidate admitted from Open (Apprentice) category has secured 74 marks. The petitioner has secured 70 marks. The petitioner certainly cannot compete with the candidates from Sports / Ex-servicemen / Earthquake category.

4. In the light of above, no relief can be granted to the petitioner. The writ petition is disposed of. No costs.

[R. G. AVACHAT, J.] [S. V. GANGAPURWALA, J.]

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