

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

CIVIL APPLICATION NO.1367 OF 2018
IN
WRIT PETITION NO. 1829 OF 2015

Ramesh s/o Wamanrao Deshmukh .. Applicant

Versus

The State of Maharashtra and ors. .. Respondents

Mr S.T. Veer, Advocate for applicant
Mr K.N. Lokhande, A.G.P. for respondents no.1 to 3
Mr M.N. Navandar, Advocate for respondents no.4 and 5

**CORAM : S.V. GANGAPURWALA &
A.M. DHAVALA, JJ**

DATE : 9th February 2018

PER COURT

1. Mr Veer, learned Advocate for the applicant submits that the proclamation dated 12.1.2018 published by respondent no.5 fixing the date of oral interviews for the recruitment of candidates for the post of Associate Professor pursuant to the advertisement dated 5.1.2015 be quashed and set aside.
2. For three years after the advertisement, the respondents did not take the steps to fill in the posts. The petitioner is assailing the revised rules, which affects the right of the petitioner. The qualification has been changed as per the revised rules.
3. We have heard Mr Navandar, learned Counsel for respondents no.4 and 5.
4. The presumption would be in favour of validity of rules until set aside.

5. Even, when the advertisement was published on 5.1.2015, the petitioner/applicant was not eligible to apply. As such, because of the delay in recruitment process pursuant to the advertisement dated 5.1.2015, the applicant could be aggrieved.

6. In light of above, Civil Application disposed of.

(A.M. DHAVAL, J.)

(S.V. GANGAPURWALA, J.)

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