

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

WRIT PETITION NO. 1594 OF 2015

Jayshri Raosaheb Janjale
and others

.. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri U. R. Awate, Advocate h/f Shri S. B. Talekar, Advocate for the Petitioners.

Shri S. G. Karlekar, A.G.P. for Respondent Nos. 1 and 2.

Shri Anup R. Nikam, Advocate for the Respondent No. 3.

Shri S. M. Sunjal, Advocate h/f Shri Deelip Patil Bankar, Advocate for Respondent Nos. 4 and 5.

Shri Avinash D. Aghav, Advocate for Respondent Nos. 6 and 7.

Ms. Preeti V. Diggikar, Advocate for Respondent Nos. 8 and 9

Shri Ganesh V. Mohekar, Advocate for Respondent Nos. 10 & 11.

Shri P. D. Suryawanshi, Advocate for Respondent Nos. 14 and 15.

Shri V. C. Patil, Advocate h/f Shri U. B. Bondar, Advocate for Respondent Nos. 18 and 19.

Shri Shantilal J. Gayake, Advocate for Respondent Nos. 24 and 25.

Shri S. T. Shelke, Advocate for Respondent Nos. 26 and 27.

Mrs. A. N. Ansari, Advocate for Respondent Nos. 28 to 30 and 33 to 35.

**WITH
WRIT PETITION NO. 9366 OF 2015**

Shital Narayan Gite and others

.. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Chandrakant R. Thorat, Advocate for the Petitioners.
Shri S. G. Karlekar, A.G.P. for Respondent Nos. 1 and 2.
Shri Anup R. Nikam, Advocate for the Respondent No. 3.
Shri N. N. Desale, Advocate for Respondent Nos. 4 and 5.

**WITH
WRIT PETITION NO. 2546 OF 2015**

Valmik Santosh Pawar and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri U. R. Awate, Advocate h/f Shri S. B. Talekar, Advocate for the Petitioners.
Shri S. G. Karlekar, A.G.P. for Respondent Nos. 1 and 2.
Shri Anup R. Nikam, Advocate for the Respondent No. 3.
Mrs. Chaitali Kutti-Chaudhari, Advocate for the Respondent No. 5.
Shri V. C. Patil, Advocate h/f Shri U. B. Bondar, Advocate for Respondent Nos. 8 and 9.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATE : 13TH APRIL, 2018.

FINAL ORDER :

. The learned counsel for petitioners submit that, all these petitioners had participated in the selection process for appointment of Shikshan Sevak from general Marathi category for which 80% posts/seats were reserved. The petitioners had applied from various reserved categories.

2. As per the cut off marks for 80% Marathi category, the petitioners have secured less marks. The grievance of petitioners is with regard to some individual candidates, who are not before us.

3. It is the contention of all respondents that, the allegations made against those candidates are incorrect, as they have been appointed from 20% English medium in respect of reserved category and their marks are above the bench mark.

4. It has been tried to be contended by petitioners that, no such documents are available with the respondents to suggest that, those candidates had taken their admission in English medium.

5. As those candidates are not before us, it will not be appropriate to pass any order. It will prejudicially affect those candidates. It is stated that, those candidates have already joined.

6. The petitioners may make an application with specific illustration/instances with regard to candidates. The concerned local body and the respondent No. 3/Maharashtra State Council of Examinations shall consider the application and decide it in accordance with law clarifying the appointments made of those candidates against whom the petitioners have raised their

grievance of being appointed, though have secured less marks than the petitioners from the respective categories. If the respondents do not possess the documents, they may call for the documents from the concerned candidates. The local body and the Maharashtra State Council of Examination shall decide the application of the petitioners within a period of six (06) months from the date of receipt of application. The writ petitions are disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

bsb/April 18