

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

WRIT PETITION NO. 5959 OF 2004

Sarika Ganpatrao Bhadre

..PETITIONER

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....
Mr. Ajinkya Kale, Advocate h/f Mr. S.B. Talekar, Advocate for petitioner.
Mr. V.S. Badakh, A.G.P. for respondent - State.
....

**CORAM : S.V. GANGAPURWALA AND
R.G. AVACHAT, JJ.**

DATED : 26th OCTOBER, 2018

ORDER :

Heard the learned Counsel for the petitioner.

2. The petitioner assails the communication dated 22nd/26th March, 2004 informing the petitioner that the petitioner is not selected for the post of Assistant (Junior). The learned Counsel for the petitioner submits that the petitioner, pursuant to the advertisement, had applied for the post of Assistant (Junior). The selection process has not been properly conducted by the respondent. The petitioner possesses H.S.C. and also possesses Trade Test in the trade of Wireman from Industrial

Training Institute, Nanded. The learned Counsel submits that the select list is published of 27 candidates. Out of 11 posts reserved for Scheduled Castes, at least three posts were required to be filled in amongst women candidates. The provision of 30% of reservation for women is not followed. Thereby, basic illegality has been committed.

3. An affidavit is filed by respondent no.2 to an effect that the petitioner has secured 69.81% marks. There are other candidates, who have secured more percentage of marks than the petitioner. The corporation has selected one woman candidate belonging to Scheduled Caste category. The petitioner could not stand in merit. It was the case of special drive to fulfill the backlog only. The selection process is of the year 2004. The Assistant (Junior) post is the lowest post in the mechanical line. It is further averred in the affidavit that the petitioner was not meritorious candidate.

4. Considering the fact that the selection process is of the year 2004 and also the aforesaid facts narrated by respondent no.2, no relief can be given to the petitioner. Writ petition is disposed of. No costs.

(R.G. AVACHAT, J.)

(S.V. GANGAPURWALA, J.)

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