

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

WRIT PETITION NO. 3391 OF 2017

Vijaykumar S/o Sidram Gaikwad

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. E.S.Murge, Advocate for the Petitioner
Mr. K.N.Lokhande, A.G.P. for Respondent No.1
Respondent No.2 served
Mr. D.S.Bagul, Advocate for Respondent Nos, 3 and 4

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

DATE: APRIL 12, 2018

PER COURT :

1. Mr. Murge, learned counsel submits that the petitioner had participated in the selection process pursuant to the advertisement dated 07.08.2012. Though the petitioner performed well, appointment order is not issued to the petitioner. The petitioner is possessing the licence of conductor since the year 2006.

2. According to the learned counsel for the respondents, on

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the date of application, the petitioner was not possessing valid conductor licence issued by the Regional Transport Officer, the licence had lapsed as the same was not renewed.

3. According to the learned counsel, a fresh recruitment process has been undertaken in the year 2016.

4. The clause in the advertisement of the year 2012, specifically states the candidate should have valid licence issued from the Regional Transport Officer. Valid licence means that licence has to be in force. If no particular date is mentioned in the advertisement as the cut off date for valid licence, same would be the valid licence as on the date for filing application. It is stated that subsequently, the petitioner had renewed the licence.

5. Considering the fact that the fresh selection process had already been undertaken in the year 2016 by way of fresh advertisement, the case of petitioner cannot be considered by this court. It is for the respondents to take appropriate decision.

6. Writ petition is disposed of. No costs.

(A.M. DHAVALA, J.)

(S.V. GANGAPURWALA, J.)