IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1531 OF 2017

Sunil Dinkar Sanap .. Petitioner
Versus
The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 1533 OF 2017

Smita Dinkar Sanap .. Petitioner
Versus
The State of Maharashtra and others .. Respondents

Shri N. P. Bangar, Advocate for the Petitioner in both matters.
Shri K. N. Lokhande, A.G.P. for Respondent Nos. 1 to 3 in both matters.
Shri A. R. Nikam, Advocate for the Respondent No. 4 in both matters.

CORAM : S. V. GANGAPURWALA AND
A. M. DHAVALE, JJ.
DATE : 27TH APRIL, 2018.

FINAL ORDER :

. Mr. Bangar, the learned advocate for the petitioners submits that, the petitioners are from N.T.-3 category. After revaluation, marks of the petitioners are increased. The petitioners have applied from N. T. - 3 Marathi medium 80% category. The candidates having less marks than the petitioners are included in the select list. However, the petitioners have been illegally excluded. The respondents informed the petitioners

that, cut off marks are 143. If the list is perused, there are many candidates who have marks less than the petitioners.

2. Mr. Nikam, the learned counsel submits that, illustration given by the petitioners are in respect of candidates who have applied from horizontal reservation of sports category and that is why they have been selected from the sports category. The cut off marks for N. T. - 3 category are 143 marks and general sports category is 125 marks.

3. We have considered the submissions canvassed by the learned counsel for respective parties.

4. The petitioners are from N. T. - 3 category. They have secured less than 143 marks. However illustrations given by petitioners are in respect of candidates from general sports category. The reservation for sports category would be horizontal reservation and as they are considered from horizontal reservation, their category would be different. The petitioners would not be in a position to compete with them. Considering the fact that, petitioners having less marks than cut off marks, the case of the petitioners cannot be considered. The writ petitions are disposed of. No costs.

[A. M. DHAVALE, J.] **[S. V. GANGAPURWALA, J.]**

bsb/April 18