

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

15 WRIT PETITION NO.3715 OF 2014

ANANT PRAKASHRAO KULKARNI

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND ORS

..RESPONDENTS

...

Mr. A. D. Sugdare, Advocate for the Petitioner.

Mr. S. B. Joshi, AGP for Respondent-State.

Mr. S. N. Suryawanshi h/f Mr. Amarjeet V. Patil,
Advocate for the Respondent No.5.

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

DATED : 11th DECEMBER, 2018.

PER COURT:-

1. Mr. Sugdare, learned counsel for the petitioner submits that as per the advertisement, based on written marks five candidates for one post were to be called for oral interview. The respondent no.5 was at serial no.6, still he was called for oral interview. The same was not permissible. It was only in the year 2014 the petitioner got knowledge, as such petition is filed after getting the knowledge.

2. We have heard learned A.G.P. and Mr. Suryawanshi, learned counsel for respondent no.5.

3. The petitioner was at serial no.4, but the persons on serial nos.5 and 6 both secured 70.5 marks. In view of that both were required to be called for oral interview and in orals, respondent no.5 was secured more marks. It is stated on the affidavit that the petitioner had secured 82 marks, whereas respondent no.5 has secured 93.5 marks.

4. In light of the above, no case for interference is made out. Writ Petition is disposed of. No costs.

(R. G. AVACHAT)
JUDGE

(S. V. GANGAPURWALA)
JUDGE