

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

47 WRIT PETITION NO. 685 OF 2016

SHISHUPAL ARJUNRAO SASANE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHERS ..RESPONDENTS

...

Mr. Parag Shahane, Advocate for the Petitioner.

Mr. S. P. Sonpawale, AGP for Respondent-State.

...

CORAM : S. V. GANGAPURWALA &

R. G. AVACHAT, JJ.

DATED : 24th OCTOBER, 2018.

PER COURT:-

1. Mr. Shahane, learned counsel for the petitioner submits that the petitioner had applied pursuant to the advertisement for the post of Signaller. The petitioner was called for the written examination. The petitioner was shortlisted, but subsequently the selection process for the post of Signaller was canceled on the ground that not a single eligible candidate was available. The learned counsel submits that the qualification prescribed in the advertisement for the post of Signaller was such that no candidate could possess such a qualification, as the course pursuant to which the qualification could have been obtained closed in the year 1972. According to the learned counsel, the posts of Signaller are still vacant. The petitioner can be considered for the said post. The petitioner has given reasons for approaching this Court late.

2. We have heard the learned A.G.P.

3. Even if, we accept the contention of the learned counsel for the petitioner that the qualification prescribed in the advertisement for the said post was erroneous or could not have been possessed by any candidate, still the case of the petitioner cannot be considered for the following reasons:

(i) The selection process is of the year 2009 and the petitioner has approached this Court in the year 2016.

(ii) The petitioner did not possess the qualification which was prescribed in the advertisement and if some other qualification would have been prescribed in the advertisement, then other candidates who would have possessed the qualification that would have been prescribed would also have applied thereto.

4. In light of the above, the case of the petitioner cannot be considered.

5. Writ Petition accordingly stands disposed of. No costs.

(R. G. AVACHAT)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

Devendra/October-18

Devendra
Nandkumar
Kale

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by Devendra
Nandkumar Kale
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