

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

WRIT PETITION NO.13736 OF 2017

Sunil Sahebrao Sonawane ..Petitioner

Versus

The State of Maharashtra and
others. ..Respondents

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

Mr.S.G.Karalekar, AGP for Respondents/State.

Mr.A.D.Aghav, Advocate for Respondent No.4.

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**CORAM : S.V.GANGAPURWALA AND
SUNIL K.KOTWAL, JJ.**

DATE: 11th June, 2018

PER COURT:-

1. Mr.A.D.Sugdare learned counsel for the petitioner submits that the petitioner had applied with the Maharashtra State Road Transport Corporation and also Health Department for Group-D post.

2. The learned counsel submits that he applied for Group-D post in sports category. The petitioner had participated in All India Inter-University Athletics Competition held at Chennai in the year 2009-2010.

3. The learned counsel submits that the application of the petitioner for Group-D post in sports category is rejected only on the ground

that the petitioner had only participated in tournament and not acquired any position.

4. The learned counsel for the petitioner relied on the Government Resolution dated 01.07.2016 and submits that for employment in Group-D, participation in All India Inter-University Sports Competition is sufficient and is not required to show that he has acquired some position.

5. It is further submitted by the learned counsel for the petitioner that an appeal was filed and the appeal is dismissed. However, the appeal is dismissed considering employment in Group-B and Group-C. However, the decision applicable for employment in Group-D has not been considered.

6. We have heard learned AGP and Mr.A.D.Aghav learned counsel for the respondent No.4.

7. We have gone through the order passed by the Appellate Authority. The petitioner seeks employment in Group-D. The order of the Appellate Authority states that for employment in Group-B and Group-C, the petitioner has to secure some position in All India Inter-University Sports Competition or State level Inter-University Sports Competition. However, the case of the petitioner

for employment in Group-D has not been considered in Appeal.

8. Considering the above, the impugned order is quashed and set aside. The respondent authority shall reconsider certificate produced by the petitioner qua Group-D and take decision afresh expeditiously, preferably within three months.

9. Writ Petition is accordingly disposed of. No costs.

(SUNIL K.KOTWAL, J.) (S.V.GANGAPURWALA, J.)

SPT