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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5558 OF 2016
WITH
CIVIL APPLICATION NO.74 OF 2017
IN
WRIT PETITION NO.5558 OF 2016

Mr. Sunil Sadashiv More ..Applicant
Versus

Maharashtra University of Health
Sciences and others ..Respondents

Mr. A. B. Seth i/by M. V. Thorat, Advocate for the Petitioner

Mr. Kunal Nawale i/by Mr. R. V. Govilkar, Advocate for Respondent No.1.

Mr. Mandar Wakhare i/by Mr. B. K. Sharma, Advocate for Respondent No.2.

CORAM: B. R. GAVAI &
SMT. BHARATI H. DANGRE, JJ.

DATE: 25th APRIL, 2018

P.C.:-

1] Petitioner has approached this Court being aggrieved by not appointing the Petitioner to the post of Professor in the subject of Strirog and Prasuti Tantra. It is the contention of the Petitioner that, in response to the advertisement for the said subject, Petitioner was the only candidate, who was possessing requisite qualification and as such, he ought to have been appointed on the said post.

2] In the affidavit in reply filed on behalf of the Respondents, it is submitted that the Selection Committee, upon interviewing the candidate, did not find him suitable for the said post and therefore his name was not recommended.

3] By now, it is a settled principle of law that even selection does not create a right in favour of the candidate. Mere appearance in an interview, though possessing requisite qualification, would keep the candidate on a lower pedestal. If the Selection Committee, on the objective assessment of the performance of the candidate, does not find him to be a suitable candidate then such a candidate cannot be thrust upon the Institution. Petition is without any merit and as such dismissed.

4] In view of dismissal of the Petition, nothing survives in the Civil Application and the same is disposed of.

(SMT. BHARATI H. DANGRE, J.)

(B. R. GAVAI, J.)