

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5060 OF 2012

Vishwanath Shivaji Bacchav ... Petitioner

Versus

The Municipal Commissioner ... Respondents
Nashik Municipal Corporation & Anr.

Mr. Nitesh Bhutekar for Petitioner.
Mr. Shekhar Jagtap I/by M/s. J. Shekhar & Co. for Respondent No.1.

**CORAM : R. M. SAVANT AND
NITIN W. SAMBRE, JJ.**

DATE : 29th OCTOBER 2018.

P.C.

. The above Petition was filed impugning the letter dated 8th March 2011 of the Deputy Municipal Commissioner of the Nashik Municipal Corporation by which letter the Petitioner was informed that he did not fulfill the eligibility criteria for the post of Social Welfare Officer and therefore could not be appointed. The Petitioner also seeks to challenge the Government Resolution No. 661 dated 20th November 2008. One of the requirements for the said post is that the candidate should be a Graduate and should also have the qualification of MSW. The Petitioner

**John
Doe**

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claims to be a post graduate with additional qualification of Master of Personal Management (MPM) as also L.S.G.D.

2. As indicated above, the Petitioner has been informed that he does not possess the qualification which has been prescribed for the post in question. Having regard to the qualification that the Petitioner possesses, the issue that arises is whether the said qualification is equal to the qualification prescribed for the said post. The Petitioner has admittedly superannuated on 31st May 2015. It is, therefore, not necessary to carry out the said exercise even if such exercise was warranted to be carried out.

3. In our view, therefore, the challenge in the above Petition has turned infructuous on account of the supervening event of the retirement/superannuation of the Petitioner from service.

4. Writ Petition is accordingly disposed of.

(NITIN W. SAMBRE, J.)

(R. M. SAVANT, J.)