

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6931 OF 2018**

Swapnil Ashok Belekar

...Petitioner

Versus

The High Court of Judicature at Bombay

...Respondent

Mr. V. S. Talkute for the Petitioner

Mr. Rahul Nerlekar for the Respondent

***CORAM : R. M. SAVANT &
REVATI MOHITE DERE, JJ.
WEDNESDAY, 25th JULY, 2018***

P.C. :

1 The above Writ Petition has been filed for a direction that the Respondent i.e. the High Court be directed to release the Petitioner's Hall Ticket and further be pleased to direct the Respondent to permit the Petitioner to participate in the Typing Tests scheduled in July and August 2018 or as per the changed or modified schedule. We are informed that the said Dictation test is to take place on Saturday, the 28th July 2018.

2 The Petitioner herein was an applicant for the post of Stenographer (L.G.) on the establishment of the District Court, Pune. The

post of Stenographer (L.G.) was one of the posts amongst other posts which were advertised by the Respondent. The other posts were Hamals and Clerks, for which, separate educational qualifications have been prescribed. It seems that the Petitioner was short-listed in the process which was carried out by the High Court administration. However, since the process of short-listing of the candidates for all the posts i.e. Clerks, Hamals and Stenographers has been impugned in a group of Petitions, which is to come up before this Court, issuance of Hall Tickets on the production of the documents in question, got postponed and ultimately pursuant to the order passed by the Division Bench, which was then dealing with the group of Petitions, the process re-commenced and the Hall Tickets were to be obtained by the candidates from 5th June 2018 to 13th June 2018. The last date being extended to 14th June 2018. As per the averments as contained in Paragraph 11 page 6 of the Petition, the Petitioner had approached the District Court, Pune on 19th June 2018. However, he was told to visit the Office of the Respondent i.e. the High Court. The Petitioner, thereafter, vide his letter dated 21st June 2018, approached the Respondent through the Registrar (Inspection) - Mr. Surendra Tavade citing the reasons as to why he could not approach within the time which was stipulated. The said

representation of the Petitioner was turned down by the Respondent, which has given rise to the filing of the instant Petition.

3 The learned counsel appearing for the Respondent-High Court Mr. Nerlekar has submitted for our perusal a statement prepared in respect of each of the Districts, the Union Territories and the Courts exercising powers under particular Statute. The said list discloses that there is a shortfall of about 376 candidates insofar as the cadre of Stenographer is concerned and insofar as Pune is concerned, the shortfall is of 71 candidates. The figures, therefore, disclose the dearth of Stenographers. The reasons put forward by the Petitioner for not approaching the Authorities for the issuance of the Hall Ticket on the ground that the Petitioner was not aware of the rescheduled programme, in our view, can be said to be the plausible reasons for the Petitioner not approaching the Respondent for issuance of the Hall Ticket within the stipulated time. It is also required to be noted that the Petitioner, as indicated above, is an aspirant for the post of Stenographer, for which post, there is an overall shortfall of 376 candidates and insofar as Pune is concerned, there is a shortfall of 71 candidates. The Petitioner, as indicated above, has also been

short-listed. It is having regard to the aforesaid facts, that we are of the view that insofar as the cadre of Stenographer is concerned, the Petitioner herein should be given an opportunity to appear for the Dictation Test which is to take place on 28th July 2018.

4 We make it clear that we are making an exception only insofar as the Petitioner is concerned, since he is an aspirant for the post of Stenographer. We make it clear that the instant order would not act as a precedent insofar as the other posts are concerned.

5 Resultantly, we direct the Respondent to issue Hall Ticket to the Petitioner. The Petition is allowed to the aforesaid extent and disposed of.

7 Parties to act upon an ordinary copy of the instant order duly authenticated by the Court Associate/Sheristedar.

REVATI MOHITE DERE, J.

R. M. SAVANT, J.