

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

MISC. CIVIL APPLICATION NO.710/2018
IN WRIT PETITION NO. 163/2017.

Indrapal N. Pazare, Chinchordi and others.

-VERSUS-

The Union of India and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : B.P. DHARMADHIKARI &
ARUN D. UPADHYE, JJ.

DATE : JULY 27, 2018.

Heard Shri M.G. Burde, learned Counsel
for applicants, Ms. M.R. Chandurkar, learned Counsel
for non-applicant nos. 1 to 4 and Shri B. Lahiri,
learned Counsel for non-applicant nos. 5 to 26.

2. Contention is, on 22.09.2017, the
submission of petitioners which prompted this Court to
pass a reasoned order dated 07.08.2017, has not been
looked into at all.

3. Learned counsel for non-applicants have
opposed the review. They are relying on the reply
affidavit.

4. We need not go into the merits of the

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contentions of learned counsel for applicants. Arguments advanced on 22.09.2017, have been looked into by us. This Court then found that the performance in Trade test was accepted only as a qualifying norm. The petitioners have appeared for the Trade test with this understanding and therefore, Court has not permitted them to turn around.

5. Learned counsel for applicants submits that the Hon'ble Supreme Court has in some matters taken a view that in such circumstances, where recruitment process conducted is contrary to law, the candidate can assail the same, though he has participated in the process. No such judgment is cited before us.

6. Not only this, submission that some other arguments were advanced on 22.09.2017, and have not been looked into by this Court is also not substantiated.

7. We therefore, find no case made out warranting interference in review jurisdiction. Misc. Civil Application is accordingly rejected. No costs.

JUDGE**JUDGE**

Rgd.