

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.3042 OF 2012

Sakhu Maruti Bite

PETITIONER

VERSUS

The State of Maharashtra and others

RESPONDENTS

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Mr. D.R. Shelke, Advocate with Smt. S.D. Shelke, Advocate
for the petitioner

Mrs. M.A. Deshpande, A.G.P. for the respondents/State

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**CORAM: PRADEEP NANDRAJOG, CJ &
R.G. AVACHAT, J.**

DATE: 26.09.2019

PER COURT :

- 1] Heard learned counsel for the parties.
- 2] Armed with a certificate dated 16th July, 2010 issued by the Collector, Beed certifying that the petitioner was the nominee of a freedom fighter, she relied upon a Government Resolution dated 4th September, 1991 and wanted appointment to either a Class-III or a Class-IV post.

None being offered any appointment, she filed Original Application No.234/2011 which has been dismissed by the Maharashtra Administrative Tribunal vide impugned order dated 3rd May, 2011.

3] The Government Resolution relied upon exempts nominees of freedom fighters to be registered with Employment Exchange and are entitled to relaxation in educational qualifications and age upto five years. Noting as aforesaid, the Tribunal has held that the petitioner was under a misconception that as per the Government Resolution, appointment had to be given to a nominee of a freedom fighter.

4] We agree with the view taken by the Tribunal because the language of the Government Resolution is clear. It is, as recorded by the Tribunal.

5] The counsel for the petitioner makes a grievance that she had applied for the nominee certificate on 22nd September, 1999 but it was issued one on 16th July, 2010, by which date the petitioner had crossed the age of eligibility even giving benefit of five years age relaxation.

6] Counsel for the petitioner questions what is the utility of a

certificate pursuant to which no benefit can be availed of.

7] The cry of anguish may be justified but nothing can be done at this stage. The petitioner ought to have filed a petition when her application dated 22nd September, 1999 was not being processed with reasonable despatch.

8] The Writ Petition is dismissed.

9] No costs.

(R.G. AVACHAT, J.)

CHIEF JUSTICE