

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.3730 OF 2017

JAYPALSING CHANDUSING KABRE
VERSUS
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION

...
Mr. Deshmukh Sachin S., Advocate for the petitioner
Mr. Bajaj A.S., AGP for the respondent
...

CORAM : SUNIL P. DESHMUKH &
S.M. GAVHANE, JJ.

DATE : 18-06-2019

ORAL JUDGMENT: (PER: SUNIL P. DESHMUKH, J.)

1. Heard learned counsel for the petitioner and learned counsel for the respondent. The scenario depicts in 2012 selection process for recruitment to electrical assistant, petitioner had applied for all the seven zones advertised. In said process, while he had been selected for Kolhapur zone, he did not join the post as per his selection for said zone. Thereafter, in 2014 another recruitment process for same post had been undertaken by the respondent. However, in the selection process, the petitioner did not succeed. Counsel for the petitioner submits his selection to Kolhapur zone had never been communicated and his continual representations were responded to only in 2017 and that too with a new formed reason stating that a candidate once selected in a zone would be taken out of consideration for selection in other zones.

2. Learned Counsel for respondent submits that on the website of the MSEDCL Company, the terms and conditions, were all along been available and reflected including the reason, which is contended to be the invented one. He submits that over and above this, while in 2012 selection process had been over and petitioner participated in the selection process of 2014, whatever semblance of claimed right may be, it gets wiped out and tantamounts to giving up such right.

3. Submissions on behalf of the respondent carry lot of substance. The petition to intervene in the selection process of 2012, while subsequent selection process had been undertaken where petitioner had participated and did not succeed before approaching this court, it is difficult to consider and entertain the writ petition is thus not entertained and is disposed of.

[S.M. GAVHANE, J.]

[SUNIL P.DESHMUKH, J.]

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