

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

REVIEW APPLICATION (CIVIL) NO.195 OF 2018
IN WP/3200/2018

SUBHASH GANESHRAO RANER
VERSUS
THE STATE OF MAHARASHTRA AN

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Advocate for Applicant : Mr. Prakashsing B. Patil
AGP for Respondents: Smt. V.N. Patil Jadhav.
Advocate for respondent No.3 : Mr. M.N. Navandar.

**CORAM :T.V. NALAWADE AND
K.K. SONAWANE ,JJ.
DATE : 9th SEPTEMBER, 2019.**

PER COURT :-

The application is filed for review of the order made by this court on 18th April, 2019, by which the petition of the present applicant bearing W.P. No. 3200 of 20189 came to be dismissed.

Heard both sides.

Submissions made and the impugned order show that the proceeding came to be disposed of on the ground that one member of the family of the project affected person was given appointment. The benefit cannot be extended to one more member. Submissions made show that the present applicant was called for recruitment process. He secured 39 marks in Practical examination, when the marks required for getting through were 35. The appointment is not given by giving reason

that as per merit, he could not get appointment. Merit list is made available. It shows that the last candidate from open category has secured total number of 65 marks and who had got 46 marks in practical examination, was selected. Thus, the last candidate, who was selected was having more marks than the applicant. Due to these circumstances, appointment is not given to the applicant. Submissions made show that total 142 posts were advertised and out of them 82 were for open category. However, the merit list shows that as many as 263 persons were selected on labour post. This point is not available in the present proceeding for review of the order.

In view of these circumstances, this court holds that though the reason given for dismissal is different, for the aforesaid reasons, the review of the previous order is not possible. Hence, the review application stands rejected.

[K.K. SONAWANE]
JUDGE

[T.V. NALAWADE]
JUDGE

grt/