

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

926 WRIT PETITION NO.8980 OF 2015

SUYOG SHARADRAO MOTEGAONKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Avinash S. Deshmukh.
AGP for Respondents: Mr. S. P. Tiwari.
...

CORAM : **T. V. NALAWADE &
SUNIL K. KOTWAL, JJ.**

DATE : 29th January, 2019.

P.C.:

. The petition is filed for giving direction to the Respondents to see that the Petitioner is included in the select list for nursing course of Respondent in the list prepared dated 30th July, 2015 from the category of physically disabled persons.

2 Both the sides are heard.

3 The submissions made and record show that the Petitioner had applied for the year 2015 and reason is given that he had produced the disability certificate showing the extent of disability was around 52%. In the past, he had produced certificate showing the disability to the extent of 45%, but on that occasion he was not enlisted

as the certificate was old by more than five years and it could not have been accepted. In the year 2015, the aforesaid reason was given that the disability was not between 40% and 50%. At present, there is nothing with the learned AGP to show the basis for mentioning the percentage as between 40% and 50%. In any case, we are in 2019 and the direction was sought in respect of the list, which was prepared in July 2015 and so, the direction in respect of that list cannot be given now. It will be open to the Petitioner to apply again for ensuring years i.e. 2019 to 2020 from same category as the age is on his side with fresh disability certificate. With these observations, the petition stands disposed of.

[SUNIL K. KOTWAL, J.]

[T. V. NALAWADE, J.]

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