

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

140 WRIT PETITION NO.13215 OF 2019

RAJABHAU KONDIBARAO DHAGE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

...
Advocate for Petitioners : Mr. Chavan Sudhir K.
AGP for Respondents: Mr. P.G. Borade
Advocate for respondent No.3: Mr. M.N. Nawandar
...

CORAM : **S. V. GANGAPURWALA & AVINASH G. GHAROTE, JJ.**

Date: December 16th, 2019

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PER COURT :-

1 We have heard the learned counsel for the petitioners and Mr. Nawandar learned counsel for respondent No.3.

2 Both the petitioners No.1 and 2 applied from Project Affected Persons category (PAP category). Petitioner No.2 was issued with the appointment order on 20.11.2017 in Class IV cadre. Petitioner No.2 did not join. On 29.11.2018, petitioner No.1 filed an application stating that he is interested in the post and petitioner No.2 is not interested. Since Petitioner No.2 did not join the post, Petitioner No.1 claims appointment from PAP category in class IV post.

3 It would appear that one person from a family can be benefited being from PAP category. Petitioner No.2 was already

issued with the appointment order. Name of petitioner No.1 was never recommended by the selection committee. Benefits of being from PAP category have already been granted to one of the family members i.e. petitioner No.2. In case, the fresh section process takes place, then petitioner No.1 may apply claiming benefits of PAP category, respondents may consider it on its own merit.

4 Writ petition is accordingly disposed of.

(AVINASH G. GHAROTE, J)

(S. V. GANGAPURWALA, J)