

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

(1) WRIT PETITION NO.12117 OF 2016

Prakash s/o Bhagaji Wani & Ors.

Petitioners..

Versus

The Union of India & Ors.

Respondents..

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Shri. V. J. Dixit, Sr. Counsel i/b Dr. Swapnil D. Tawshikar, advocate for the petitioners.

Shri. Anil Singh, Addl. Solicitor General of India with Shri. Bhushan Kulkarni, St. Counsel for respondents No. 1 to 3

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AND

(2) WRIT PETITION NO.30 OF 2017

Bhagwan s/o Dhondiba Ghuge & Ors.

... Petitioners

Versus

The Union of India & Ors.

Respondents..

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Shri. V. J. Dixit, Sr. Counsel i/b Dr. Swapnil D. Tawshikar, advocate for the petitioners.

Shri. Anil Singh, Addl. Solicitor General of India with Shri. Bhushan Kulkarni, St. Counsel for respondents No. 1 to 3

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(3) CONTEMPT PETITION NO. 663 OF 2017

IN

WRIT PETITION NO. 9837 OF 2017

Changdev Pandurang Choure & Ors.

... Petitioners

Versus

Ananta Narayan Nanda & Ors.

...Respondents

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Shri. V. J. Dixit, Sr. Counsel i/b Dr. Swapnil D. Tawshikar, advocate for the petitioners.

Shri. Anil Singh, Addl. Solicitor General of India with Shri. Bhushan Kulkarni, St. Counsel for respondents No. 1 to 3

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(4) WRIT PETITION NO.9447 OF 2017

Bharat s/o Baliram Chavan & Ors.

... Petitioners

Versus

The Union of India & Ors.

... Respondents

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Shri. V. J. Dixit, Sr. Counsel i/b Dr. Swapnil D. Tawshikar, advocate for the petitioners.

Shri. Anil Singh, Addl. Solicitor General of India with Shri. Bhushan Kulkarni, St. Counsel for respondents No. 1 to 3

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(5) WRIT PETITION NO.9837 OF 2017

Rahul s/o Anantrao Kale & Ors.

... Petitioners

Versus

The Union of India & Ors.

... Respondents

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Shri. V. J. Dixit, Sr. Counsel i/b Dr. Swapnil D. Tawshikar, advocate for the petitioners.

Shri. Anil Singh, Addl. Solicitor General of India with Shri. Bhushan Kulkarni, St. Counsel for respondents No. 1 to 3

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(6) WRIT PETITION NO.9910 OF 2017

Amit s/o Rajendra Dongre & Ors.

... Petitioners

Versus

The Union of India & Ors.

... Respondents

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Shri. Shrihari Aney, Sr. Counsel with Shri. Surendra Pardhy and Shri. Kuldeepsing K. Kamare i/b Shaikh Mazhar A. Jahagirdar,

Advocate for the petitioners.

Shri. Anil Singh, Addl. Solicitor General of India with Shri. Bhushan Kulkarni, St. Counsel for respondents No. 1 to 3

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(7) WRIT PETITION NO. 10373 OF 2017

Shivpratap S/o Ganpat Jadhwar & Ors. ... Petitioners

Versus

The Union of India & Ors. ... Respondents

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Shri. V. J. Dixit, Sr. Counsel i/b Dr. Swapnil D. Tawshikar, advocate for the petitioners.

Shri. Anil Singh, Addl. Solicitor General of India with Shri. Bhushan Kulkarni, St. Counsel for respondents No. 1 to 3

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(8) WRIT PETITION NO. 11801 OF 2017

Maroti S/o Devidas Kalyankar & Ors. ... Petitioners

Versus

The Union of India & Ors. ... Respondents

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Shri. V. J. Dixit, Sr. Counsel i/b Dr. Swapnil D. Tawshikar, advocate for the petitioners.

Shri. Anil Singh, Addl. Solicitor General of India with Shri. Bhushan Kulkarni, St. Counsel for respondents No. 1 to 3

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(9) WRIT PETITION NO. 13060 OF 2017

Babasaheb s/o Dnyanoba Gaikwad & Ors. ... Petitioners

Versus

The Union of India & Ors. ... Respondents

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Shri. V. J. Dixit, Sr. Counsel i/b Dr. Swapnil D. Tawshikar, advocate for the petitioners.

Shri. Anil Singh, Addl. Solicitor General of India with Shri. Bhushan Kulkarni, St. Counsel for respondents No. 1 to 3

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**CORAM : S. V. GANGAPURWALA
AND
A. M. DHAVALA, JJ.**

DATE OF RESERVING THE JUDGMENT : 28th February, 2019
DATE OF PRONOUNCING THE JUDGMENT : 03rd MAY, 2019

OPERATIVE ORDER:-

1. All the Writ Petitions are allowed. The order of cancellation of the entire examination is set aside to the extent of the petitioners herein.
2. The respondents are directed to verify again, whether there are any suspicious circumstances and irregularities in case of the petitioners herein and if no such suspicious circumstances, irregularities or malpractices are found as discussed in the judgment, the selection of the petitioners be restored and further process shall be completed within a period of two months.
3. As far as the petitioners in Writ Petition No. 9910 of 2017 are concerned, the respondents shall verify their record as well and if no suspicions circumstances or malpractices as discussed in the judgment are noted in their individual cases, their appointments shall be restored within a period of two months with 50% backwages.
4. In the facts and circumstances, we do not want to take any cognizance of the contempt. Hence, the Contempt Petition No. 663 of 2017 is dismissed.
5. We anticipate the request for stay of this order. Since we are granting time of two months for verification and giving effect to

this order, no separate time is required to be given for obtaining stay order from the superior Court.

6. Rule is made absolute in the above terms with no order as to costs.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde