

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12190 of 2019**

Shri Rahul Krishnaji SakorePetitioner
versus
State of Maharashtra through the
Chief Secretary, GAD, Mantralaya and ors.Respondents

Mr. Sandeep V. Marne, advocate for the petitioner.
Ms. R. M. Shinde, AGP for the State.

**CORAM : RANJIT MORE &
SURENDRA P. TAVADE, JJ.**

DATE : 5th DECEMBER, 2019.

P. C. :

Heard Mr. Marne, learned counsel for the petitioner and Ms. Shinde, learned AGP for the State.

2. The petitioner approached this Court challenging the order dated 26th November, 2019, passed by Maharashtra Administrative Tribunal (MAT) in original application No.1114 of 2019. The petitioner also sought for issuance of directions to the respondents to permit him to participate in written test and interview which was scheduled to be held on 28th November, 2019 and 29th November, 2019 respectively.

3. The said original application was filed by the petitioner in MAT with a prayer to permit him to participate in the examination to be conducted for appointment to Indian Administrative Services (for short "IAS") by selection as per the Select List of 2018. The said relief was claimed by the petitioner contending that he fulfilled the eligibility criteria for appointment/selection to IAS. By the impugned order, the Tribunal refused to grant interim relief to the petitioner and, therefore, the petitioner approached this Court.

4. After hearing both sides, we granted interim order on 27th November, 2019. By speaking order, we allowed the petitioner to participate provisionally for the written test for short listing of staff officers (to recommend the names of officers to UPSC for appointment to IAS by selection as per the Select List-2018). We also permitted the petitioner to participate provisionally in interview process, in the event, the petitioner's name is figured in the list of meritorious candidates on the basis of marks obtained by him in the written test.

5. Mr. Marne, learned counsel for the petitioner, now makes a statement that in terms of directions contained in the order dated 27th November, 2019, the petitioner was allowed to appear provisionally for the written test and since his name figures in the list of meritorious candidates, he was also allowed to provisionally appear for the interview.

Mr. Marne further submitted that the names of the first 20 candidates in the merit list prepared on the basis of marks obtained by the candidates in written and oral test would be sent by the Government to UPSC for further interview by tomorrow or at the earliest. The statements made by Mr. Marne are not disputed by learned AGP.

6. Mr. Marne stated that in the event the name of petitioner figures in the first 20 meritorious candidates, then, the Government should send his name to UPSC for interview. Since we have allowed the petitioner to provisionally participate for the written test as well as oral interview, we deem it appropriate to direct the Government to send the petitioner's name to UPSC for further interview, in the event, he stands in merit list of first 20 candidates.

7. In the light of the above directions and since limited relief is claimed in the petition and particularly, the main grievance of the petitioner is pending before MAT, we are of the opinion that no purpose would be served by keeping the petition pending. The writ petition is, accordingly, disposed of in terms of the interim order dated 27th November, 2019

8. We request the MAT to decide the petitioner's original application No. 1114 of 2019 as expeditiously as possible.

9. Needless to say that sending of the name of the petitioner by the Government to UPSC would be subject to the final outcome of original application No.1114 of 2019 pending before the MAT.

10. All concerned to act upon a copy of this order duly authenticated by the Registry of this Court.

[SURENDRA P. TAVADE, J.]

[RANJIT MORE, J.]