

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2057 OF 2020

Vaibhav S/o Uttam Gawali

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr Shaikh Mazhar A. Jahagirdar, Advocate for Petitioner
Mr P.S.Patil, Additional Government Pleader for
Respondent Nos. 1 and 2

**CORAM : S.V. GANGAPURWALA
AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 30TH JANUARY, 2020

PER COURT :

1. The learned Counsel for the petitioner submits that the petitioner is disqualified on the ground that he does not possess the experience as detailed in the advertisement. The learned Counsel submits that the petitioner possesses the qualification of degree in pharmacy, so also, post graduate degree in pharmacy. He also possesses practical experience of more than three years in testing of drugs. To substantiate the same, the petitioner is relying upon the various certificates issued by his employer wherein one of the duties of the petitioner is of testing the drugs.
2. The interviews are to be conducted today. The learned Counsel submits that the Maharashtra Administrative Tribunal,

Aurangabad is not available for one week.

3. The learned Additional Government Pleader waives notice for respondent Nos. 1 and 2.

4. Considering the above, we direct the respondent No. 3 to conduct the interview of the petitioner. Only because the petitioner is allowed to attend the interview the same would not create equity in favour of the petitioner nor any right. The conduct of the interview and further process to the extent of the petitioner would be subject to the further decision in the pending proceedings.

5. In view of the above, we have only made stop gap arrangement as it is said that today only, the interviews are to be conducted and so also, the Tribunal is not available.

6. We transfer the matter to the Maharashtra Administrative Tribunal, Aurangabad.

7. The Registry of this Court shall take immediate steps to transfer the matter to the Maharashtra Administrative Tribunal, Aurangabad. The Maharashtra Administrative Tribunal, Aurangabad shall pass the further orders on the interim application of the petitioner on its own merits.

8. The result of the petitioner of the interview shall not be declared until further orders are passed by the Tribunal.

9. The learned Additional Government Pleader for respondent Nos. 1 and 2 shall communicate this order to the respondent No. 3.

10. Parties to act upon authenticated copy of this order.

[SHRIKANT D. KULKARNI, J.] [S.V. GANGAPURWALA, J.]

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