

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

WRIT PETITION NO.308 OF 2019

**SURAJ GIRDHARSING RAJPUT
VERSUS
MAHARASHTRA STATE ROAD TRANSPORT CORPORATION MUMBAI
AND OTHERS**

...

Advocate for Petitioner : Golewar V.P.
Advocate for Respondents 1 and 2 : Shri A.B.Dhongade
AGP for Respondent 3/ State : Shri S.P.Tiwari

...

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

DATE :- 28th January, 2020

Per Court :-

1 Mr.Golewar, learned advocate for the petitioner, submits that pursuant to the advertisement published by the respondents, the petitioner applied for the post of a Clerk-cum-Typist. The petitioner was issued with the admit card. The petitioner got the certificate of MS-CIT in March, 2018. The respondents have given some relaxation under the circular dated 11.09.2018. On the date of the scrutiny of applications on 04.12.2018, the petitioner possessed MS-CIT certificate. There was no impediment for the respondents to consider the certificate of MS-CIT produced by the petitioner.

2 Mr.Dhongade, learned advocate for the respondent Nos.1 and

2, submits that on the date of the application, the petitioner had not appeared for the MS-CIT examination and the relaxation was given to those candidates who had appeared for the examination prior to the filing of the applications.

3 We have considered the submissions. It appears that the petitioner did not appear for the MS-CIT examination prior to the last date of the application pursuant to the advertisement. The petitioner, for the first time, got the certificate of MS-CIT in March, 2018. The petitioner was required to possess the said qualification on or before 03.02.2017. Under the circular dated 11.09.2018, the relaxation was given to those candidates, who had already appeared for MS-CIT examination, but the results were not declared.

4 Admittedly, the petitioner did not possess the qualification of MS-CIT nor had appeared for the said examination on the date of the application. As such, the directions to the respondents to consider the petitioner's claim for the post for which he has applied, cannot be given.

5 In the light of the above, this Writ Petition is disposed of. No costs.