

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.280/2020

Saquib Nadeem Abdul Naim Vs. Chief Executive Officer, Zilla Parishad and others.

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Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

.....
Shri Mir Nagman Ali, Advocate for the petitioner.

CORAM : **R.K. DESHPANDE &**
A.S. CHANDURKAR, JJ.

DATED : **15th JANUARY, 2020.**

. The petitioner is held ineligible as per the letter of the Education Officer (Primary), Zilla Parishad, Yavatmal issued on 17.09.2019 for the post of Secondary School Teacher (Urdu) which was reserved in the advertisement for V.J./D-notified Tribe category. Obviously, the petitioner does not claim himself to be belonging to such category. Consequently, no fault can be found in holding that the petitioner was ineligible for submitting such application.

2. Our attention is invited by the learned counsel for the petitioner to the Government Resolution dated 07.12.2001 to urge that if the candidate belonging to VJ/DT category is not available, a candidate from open category can be appointed. It is not possible to ascertain as to whether the candidates belonging to VJ/DT category are available or not unless such applications are received and the decision is taken that no such candidate is available. The petitioner cannot directly claim consideration of his

case for absence of the candidate belonging to VJ/DT category for which the post is reserved. If the candidates are not available from particular category, the post has to be advertised for open category. In that event all the persons eligible for applying shall get an opportunity to apply. We do not find any substance in this petition.

3. Hence, Writ Petition is dismissed.

JUDGE

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