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

18 WRIT PETITION NO.7630 OF 2020

**GANESH DYANNOBARAO DEVKATGE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Mr S. R. Kolhare, Advocate for petitioner;
Smt. V. N. Patil Jadhav, A.G.P. for respondent No.1/State
Mr. S. B. Pulkundwar, Advocate for respondent No.2

**CORAM : RAVINDRA V. GHUGE
AND
AVINASH G. GHAROTE, JJ.**

DATE : 21st June, 2021

PER COURT:

1. After the hearing progressed to some length, having heard the learned Advocate for the petitioner, the learned A.G.P. on behalf of respondent No.1 and Shri. Pulkundwar, learned Advocate on behalf of respondent No.2, it is absolutely clear from the record that the recruitment process, by which the petitioner was appointed by a private management, had commenced after the Government Resolution dated 02/05/2012 and prior to the lifting of the ban for the subjects English, Maths and Science, dated 04/09/2013. He was appointed on 12/08/2013. It is also clear from the record that the

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petitioner was not qualified on the date of his appointment, inasmuch as, the recruitment was not made in accordance with the reservation roaster applicable for the candidates belonging to the reserved categories.

2. When called upon to make a solemn statement, the learned Advocate for the petitioner concedes on the basis of the record that the petitioner was not qualified and the roaster was not followed.

3. In view of the above, this petition is devoid of merit and is, therefore, dismissed.

(AVINASH G. GHAROTE, J.)

(RAVINDRA V. GHUGE, J.)

sjk