

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

Writ Petition No. 745 of 2021

Suraj Ashokrao Revanshete ... Petitioner

Versus

State of Maharashtra and another ... Respondents

Shri C. V. Jagdale, Advocate for the Petitioner.

Shri A. M. Madiwale, AGP for Respondent Nos.1 & 2.

CORAM : NITIN JAMDAR AND
ANIL S. KILOR, JJ.
DATED : 05 FEBRUARY 2021

P.C.:

By this Petition, the Petitioner has challenged the order dated 16 September 2019 whereby the Petitioner has been held to be ineligible for appointment as "Van Sarvekshak" pursuant to advertisement issued on 22 January 2019.

2. On 22 January 2019, the Respondents issued an advertisement for filling up of the post of "Van Sarvekshak". One of the requirements in the advertisement was requisite educational qualification.

Clause 6-A(2) of the advertisement called upon the applicants to produce a certificate of a Government Recognized Institute certifying Surveyor Training. The Petitioner applied for the said post pursuant to the advertisement. The Petitioner succeeded in the written examination and on 11 September 2019, the Petitioner was called with all the requisite documents. By communication dated 16 September 2019, the Petitioner was informed that the Petitioner does not possess a Certificate of Surveyor Training issued by the Government Recognized Institute and therefore cannot be selected. The Petitioner has challenged the said decision.

2. The learned Counsel for the Petitioner submitted that though the Petitioner does not have Certificate of Surveyor Training, the Petitioner has passed an examination with a subject which would show that the Petitioner has the requisite training. The Petitioner has relied upon the Statement of Marks in the examination conducted by Vocational Education.

3. The advertisement stipulated a Certificate of Surveyor Training. There is a difference between a Certificate and the Statement of Marks. From the Statement of Marks, the Petitioner is asking the Court to declare that the Petitioner has the requisite qualification. A certificate is a proof of having completed of the Training and it is different from the Statement of Marks. If the respondents have not accepted the Petitioner's application for want of this requirement, the stand taken by the Respondents, cannot be considered as illegal.

4. In these circumstances, no interference is warranted in writ jurisdiction. The Writ Petition is rejected.

[ANIL S. KILOR, J.]

[NITIN JAMDAR, J.]

Vithal
Choulwar

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