

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

909 WRIT PETITION NO.7398 OF 2022

**TRUPTI KRISHNAKUMAR TAYADE
VERSUS
THE SECRETARY THE MAHARASHTRA PUBLIC SERVICE COMMISSION
AND ANOTHER**

...
Advocate for Petitioner : Mr. Shinde Digambar B.
AGP for Respondents/State : Mr. A.S. Shinde

**CORAM : MANGESH S. PATIL &
SANDEEP V. MARNE, JJ.**

DATE : 26.07.2022.

PER COURT :

The petitioner is aggrieved by the order passed by the Maharashtra Administrative Tribunal in her original application whereby the application has been dismissed.

2. We have heard the learned advocate for the petitioner as also the learned A.G.P.

3. The petitioner had applied for the post of Police Sub Inspector pursuant to an advertisement issued by the Maharashtra Public Service Commission from 'Scheduled Tribe' category and claiming to be a sports person. She had indicated that she would put up a claim in the sports category.

4. The learned advocate submits that in spite of she having filled in the forms properly and was possessed of the requisite certificates to demonstrate her entitlement to the post, her candidature has been turned down for the reason that she had failed to produce the certificate.

5. The Tribunal has dismissed the original application on the ground that the fact that the petitioner had produced the sports validity certificate for verification was a disputed fact but was not substantiated either by any document or even the conduct.

6. In our considered view, whether the petitioner, indeed, had submitted the sports validity certificate is purely a disputed question of fact and except her bald statement there is no material to substantiate it.

7. Over and above, even her conduct does not demonstrate, as has been rightly pointed out by the Tribunal, about she having tendered the certificate at the relevant time. Even according to the petitioner, she had indulged in making representations and she had sent three such representations on 05.04.2019, 15.04.2019 and 30.04.2019, copies of which have been produced on the record but none of those specifically assert and substantiate her version about having tendered the sports validity certificate and some officer having refused to accept it. As has been rightly remarked by the Tribunal, for the first time in the original application she had come out with such a stand.

8. There is no illegality in the order passed by the Maharashtra Administrative Tribunal.

9. The Writ Petition is dismissed.

(SANDEEP V. MARNE J.)

(MANGESH S. PATIL, J.)

mkd/-