

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

**WRIT PETITION NO.1071/2022**

Venkat Ramansing Rajendrasing Chavhan,  
aged about 48 years, Occ. Service,  
r/o Gopalsadan, Nehru Ward, Civil Lines,  
Gondia. **.....PETITIONER**

**...V E R S U S...**

1. Municipal Council, Gondia,  
through its Chief Officer.
2. The Education Officer (Sec.)  
Zilla Parishad, Gondia.
3. Manohar Municipal Higher  
Secondary School, Gondia,  
through its Headmaster.

**...RESPONDENTS**

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Mr. Prashant N. Shende, Advocate for petitioner.  
Mr. M. I. Dhatrak, Advocate for respondent nos. 1 and 3.  
Mr. K. L. Dharmadhikari, A.G.P. for respondent no.2.  
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**CORAM:- SUNIL B. SHUKRE & ANIL L. PANSARE, JJ.**  
**DATED :- 11.10.2022**

**ORAL JUDGMENT** (Per: Sunil B. Shukre, J.)

Heard. Rule. Rule made returnable forthwith.

Heard finally by consent of learned counsel for the parties.

2. It is seen that the petitioner has suppressed material facts from this Court. There is an affidavit submitted by the petitioner, admitting that he was appointed on a post

reserved for the Scheduled Tribes, but, later on, due to protection granted to him by the Government Resolution dated 18.05.2013, the petitioner agreed for changing his category of appointment from Scheduled Tribes to Open and, accordingly, by this affidavit dated 26.05.2016, the petitioner gave his specific consent for change of category of his appointment from the Scheduled Tribes to Open category.

3. Here the petitioner, however, has claimed that he was appointed on the post, which was reserved for the Open category and that is why he was never appointed on the post reserved for the Scheduled Tribes category, which is contrary to what is stated in his affidavit. There is no explanation given in the petition about the admissions given by him. In fact, there is no averment made about submitting of an affidavit by him earlier. We, therefore, find that the averments made in the petition are misleading, inasmuch as, there is no candid disclosure about the admissions given by the petitioner in the affidavit dated 26.05.2016. The

petitioner does not deserve any relief from an equity Court like this. Therefore, the petition stands dismissed.

Rule is discharged.

**(Anil L. Pansare, J.)**

**(Sunil B. Shukre, J.)**

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