



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

WRIT PETITION NO. 13249 OF 2023

ARVIND VITHOBA SULE

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS**

....

Mr. T. M. Venjane, Advocate for Petitioner

Mr. P. K. Lakhotiya, AGP for Respondent No.1

Mr. A. R. Nikam, Advocate for Respondent Nos. 2 and 3

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**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 14.12.2023

PER COURT :-

1. The Petitioner submits that he is qualified to be registered on the 'Pavitra Portal', even from the Panchayats Extension to the Scheduled Area (PESA).

2. Shri Nikam, the learned Advocate representing Respondent Nos. 2 and 3 submits that, earlier, the deadline was extended from 15.09.2023 to 30.09.2023 and thereafter, it was extended for a limited purpose to upload certain documents, upto

06.10.2023. It is specifically submitted that it would be an endless exercise to continue to extend these dates and the entire selection process would never be completed. He further submits that this Court should refrain from issuing a Writ of Mandamus for extending the dates. He further submits that the Pavitra Portal has not been pressed into service in the PESA. The PESA does not applicable to that scheduled area, since it is a special area for which there are certain modes of reservation.

3. The learned Advocate for the Petitioner submits that this Court may grant time to enable the Petitioner to tender his e-mail for registering on the Pavitra Portal.

4. The learned AGP submits that earlier, the grievance was that the Pavitra Portal process for recruitment is not adopted frequently. Now, the registration on the Pavitra Portal is in progress and after extending the deadline twice, the verification of the names of the candidates is underway. Any further indulgence of this Court would amount to continuing the entire process endlessly.

5. Having considered the submissions of the learned Advocates for the respective sides, we do not find it appropriate to

grant yet another extension for registration of the candidates. Such extensions have occurred on two occasions. The verification of documents has been undertaken by the Authorities. By the indulgence of the Court, of the dates are extended, it would practically render the entire process endless and the process would never be completed.

6. In view of the above, we do not find that we could issue orders in the nature of a Writ of Mandamus to the Authorities to further extend the period. **This Writ Petition is, therefore, disposed off.**

7. At this juncture, the learned Advocate for the Petitioner submits that there is some preference granted to the candidates from the PESA.

8. Shri Nikam, the learned Advocate, refutes the said contention. He reiterates his earlier statement that PESA is not applicable to candidates like the Petitioner and no advantage or a concession has been made available. So also, the Petitioner has passed the TAIT, after the cut off date. So also, his performance in the TET exam has been cancelled since his name figures in the TET exam

results scam. He, therefore, submits that it is a futile exercise for this Court to record the plea of the Petitioner.

9. As such, if in the future, the State Government introduces any policy, which is likely to cover candidates like the Petitioner, notwithstanding the involvement in the scam, the authorities would consider the case of the petitioner within the framework of such policy.

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]

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