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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION**

**REVIEW PETITION NO. 24 OF 2023
IN
WRIT PETITION NO. 964 OF 2023**

Manish Kumar Verma s/o. Fulan }	
Prasad Verma }	Petitioner
Versus	
Union of India & Ors. }	Respondents

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Mr. Vicky Nagrani for the petitioner.

Mr. R. R.Shetty for respondents (UoI).

**CORAM: S. V. GANGAPURWALA, Act.CJ.&
SANDEEP V. MARNE, J.**

DATE: APRIL 12, 2023

P.C.:

- 1.** The petitioner seeks review of the judgment and order dated 23rd February 2023.
- 2.** The learned advocate for the petitioner submits that in Writ Petition No. 54 of 2018, a coordinate Bench of this Court, under judgment and order dated 30th September 2019, has considered the similar set of facts and allowed the writ petition filed by the candidate in respect of the same selection process; wherein, similar deficiency existed. The Division bench observed that the petitioner therein was allowed to participate in the selection process and documents were also verified. No objections were raised and thereafter, the candidature was rejected on the ground that documents in support of the date of birth were not filed. This Court considered the case and permitted the petitioner therein to produce the certificate of SSC, School Leaving Certificate, Domicile Certificate and the birth certificate within 4 (four) weeks and after verification of the documents, the respondents

were directed to appoint the petitioner therein.

3. According to the learned advocate for the petitioner, in the present case also, the candidature of the petitioner was rejected only on the ground that the petitioner failed to upload the certificate to substantiate the date of birth. The learned advocate for the petitioner submits that similar treatment is required to be accorded to the petitioner herein.

4. Reliance is placed by the learned advocate for the petitioner on a judgment of Apex Court in *State of Uttar Pradesh & Ors. vs. Arvind Kumar Srivastava & Ors.* (2015) 1 SCC 347.

5. We have also heard the learned advocate for respondent no.1.

6. The selection process is of the year 2007. The petitioner had filed original application before the Tribunal in the year 2016. The said original application was dismissed on or about 18th November 2019 and the writ petition was subsequently filed before this Court in December 2021 after lapse of 2 (two) years.

7. The select list/wait list cannot operate in perpetuity. The same has its own life. We cannot lose site of the fact that the selection process is of the year 2007. We cannot now direct the respondents to appoint the persons who had participated in the selection process of the year 2007.

8. The judgment relied upon by the review petitioner in respect of the similar selection process was not brought to the notice of this Court while deciding the writ petition.

9. For the aforesaid reasons, no relief can be granted to the petitioner. The review petition is disposed of.

10. No costs.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)