

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5863 OF 2007

The Maharashtra Public
Service Commission

... Petitioner.

V/S.

Chandrakant Tikaram Johare
And Anr.

... Respondents.

.....

None for the Petitioner.

Mr.N.K.Rajpurohit AGP for the State-Respondent No.2.

.....

**CORAM : NITIN JAMDAR, AND
MANJUSHA DESHPANDE, JJ.**

DATE : 25 September 2023.

P.C. :

The Petition is filed by the Maharashtra Public Service Commission challenging the order passed by the Maharashtra Administrative Tribunal allowing the Original Application No.286/07 filed by Respondent No.1.

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2 On 12 May 2005 the Petitioner had published an advertisement for recruitment to the post of Deputy Superintendent of Police Wireless (Engineering Group-A). The Respondent No.1

applied to the advertisement. His candidature was rejected by a communication dated 14 May 2007. The Tribunal by the impugned order dated 05 June 2007, set aside the communication addressed to the Respondent No.1 rejecting his candidature and directed the Petitioner to interview the Respondent No.1, which was scheduled on that date and the next day.

3 By order dated 18 December 2007 the Division Bench has passed the following order:

“ 1. Rule. Rule on interim relief returnable after four weeks. As and by way of ad-interim order only that part of the order impugned is stayed by which the Maharashtra Administrative Tribunal has directed the petitioners to call for interview other similarly situated candidates.

2. Parties to act on the copy of this order duly authenticated by the Sheristedar/Private Secretary of the Court.

3. Certified copy expedited.”

4 This interim order has been continued till date. Nothing is placed on record by either of the parties, as regards the position as of today. There was no stay to the selection process. Therefore, the impugned direction which was stayed by this Court as regards interview has also lost its efficacy, and does not survive. In view of this clarification, nothing survives in this petition, it is accordingly disposed of.

(MANJUSHA DESHPANDE, J.)

(NITIN JAMDAR, J.)