



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

WRIT PETITION NO.86/2022

Devendra S/o Tilakchand Meshram

...Versus...

Gram Panchayat, Sitepar, through its Sarpanch, Tahsil-Arjuni, District Gondia
and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. Kaustubh Deogade, Advocate for petitioner
Mr. A.V. Khare, Advocate for respondent nos.1 and 2
Mrs. M.P. Munshi, Advocate for respondent no.3
Mr. S.M. Ukey, Addl. G.P. for respondent no.4

CORAM : AVINASH G. GHAROTE AND
URMILA JOSHI-PHALKE, JJ.

DATE : 21/08/2023

1. The enquiry report by the Collector, Gondia dated 18/08/2023 has been tendered across the bar by the learned Additional Government Pleader, which is taken on record and marked "X" for the purpose of identification.
2. The grievance raised in the petition is that in spite of the petitioner having been selected as a Grampanchayat employee Post – 01 in the examination conducted in that regard and having secured the highest score was entitled for employment, however, on a compliant filed by the other candidates the appointment was not made.

3. Mrs. Munshi, learned counsel for the respondent no.3 supports the petition.

4. A grievance was raised by the other candidates that incorrect question was asked and therefore they were entitled to be awarded marks for that question. The report of the Collector dated 18/08/2023 (X) indicates that in spite of giving marks for the incorrect question to all the candidates, still the petitioner is highest. It is, therefore, apparent that the selection of the petitioner, now even considering the grievance of the respondents cannot be faulted with.

5. In that view of the matter, the petitioner therefore would be entitled to be appointed to the aforesaid post. The writ petition is, therefore, allowed in the above terms. No order as to costs.

(URMILA JOSHI-PHALKE, J.)

(AVINASH G. GHAROTE, J.)