

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

WRIT PETITION NO. 7843 OF 2019

(Roshan s/o Nilkanth Mankar Vs. Maharashtra State Electricity Distribution Co. Ltd.
Prakashgad, Mumbai, thr. its Chief Managing Director & Anr.)

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

Court's or Judge's orders.

Shri R.N. Deshpande, Advocate for the petitioner.
Shri S.V. Purohit, Advocate for the respondents.

CORAM : A.S. CHANDURKAR AND
M.W. CHANDWANI, JJ.
MARCH 16, 2023.

Heard.

2] The petitioner seeks appointment on the post of Deputy Executive Engineer pursuant to an advertisement issued by the respondents. In the said advertisement, the educational qualification prescribed was Bachelor's Degree in Electrical Engineering/Technology with experience of three years post qualification in power distribution. The candidature of the petitioner has been rejected on the ground that he does not fulfill the experience criteria.

3] We have heard the learned Counsel for the petitioner who seeks to rely upon the documents at page Nos. 28 to 31 to indicate that the petitioner had sufficient post qualification experience in power distribution. On the other hand, according to the respondents, the experience criteria is not satisfied by the petitioner.

4] We have perused the documents at page Nos. 28 to 31 which the petitioner seeks to rely upon in his support. Two documents pertain to a list maintained

by M/s. Amol Electrical coupled with various payment vouchers standing in the name of the petitioner. The other documents pertain to deduction by the Employees' Provident Fund Organisation wherein the names of the establishments are shown as 'Third Eye Security Service' and 'Goodwill'. We are primarily concerned with the approach of the respondents in considering the documents submitted by the candidate to indicate his experience. If after perusal of the documents and vouchers that were relied upon by the petitioner the respondents were not satisfied with the same, it would not be permissible for the Court to substitute its opinion in place of that of the respondents. Suffice it to observe that all the documents relied upon by the petitioner were considered by the respondents and thereafter it was opined that the petitioner did not fulfill the experience criteria. It is not the case of the petitioner that the documents submitted by the petitioner were not considered by the respondents. The respondents are entitled to determine the suitability of candidates seeking appointment.

5] In that view of the matter, we do not find that the respondents have acted arbitrarily or in an illegal manner while coming to the conclusion that the petitioner did not fulfill the experience criteria. We do not find any case made out to interfere in writ jurisdiction.

6] The Writ Petition is dismissed with no order as to costs.