



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

942 WRIT PETITION NO. 3028 OF 2024

PAVANSING BABULAL JARWAL
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SETTLEMENT
COMMISSIONER AND ANOTHER

Mr.S.S. Ghate, Advocate for the Petitioner.
Mr.PK. Lakhotiya, AGP for the Respondent/State.

CORAM : RAVINDRA V. GHUGE &
R.M. JOSHI, JJ.
DATED : 19.03.2024

PC :-

01. The Petitioner's grievance is that one candidate has submitted a false medical certificate to indicate his blindness and certain other issues. A Representation dated 07.02.2024 is addressed to the District Collector, Gondiya, who is Chairman of the District Selection Committee.

02. We are of the view that if any post is reserved for a particular category, candidates belonging to such category should alone be considered and if any candidate tries to play a fraud or trick on the Selection Committee, said matter needs to be investigated, lest, fictitious candidates would secure employment depriving employment to the genuine candidates.

03. The learned AGP vehemently canvassed the possibility that such Petitioners would be making false allegations against other candidates only for

the sake of securing employment. Grave hardships and manifest inconvenience would be caused to such candidates who would be subjected to a medical re-examination. The Petitioner be directed to deposit an amount of Rs.25,000/- (Rupees Twenty Five Thousand) with the District Collector, Gondia, as a pre-condition for considering his Application. If there is truth in the Application, the amount can be returned to him. If his complaint turns out to be false, the amount can be granted to that candidate, who was required to suffer medical re-examination due to the Petitioner.

04. The petitioner is agreeable. As such, the Petitioner shall deposit an amount of Rs.25,000/- with Respondent No.2, on or before 28.03.2024, as a pre-condition for enabling the Authority to proceed with his Application/Representation.

05. In view of the above, **this Writ Petition is disposed off** with a direction to Respondent No.2 to deal with the Representation of the Petitioner on its own merits and follow a procedure, which would assist the said authority in collecting details about the said particular candidate, whose name is mentioned in the representation. If the procedure requires medical re-examination, same can be done, in order to locate the truth.

[R.M. JOSHI,J.]

[RAVINDRA V. GHUGE,J.]