



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

910 WRIT PETITION NO. 227 OF 2024

KIRAN RAMESH JAIBAHAR

....Petitioner

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE SECRETARY
AND OTHERS

AND

912 WRIT PETITION NO. 1502 OF 2024

KAUSHAL DILIP SURWADE AND ANOTHER

....Petitioners

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE SECRETARY
AND OTHERS

.....Respondents

.....

Mr. C. V. Thombre, Advocate for the Petitioners

Mr. S. K. Tambe, Mr. N. S. Tekale, AGPs for Respondent No.1

Mr. Amol Mali h/for Mr. D. S. Bagul, Advocate for Respondent No.3

Mr. D. D. Chaudhari, Advocate for Respondent No.4 in WP/227/24

Mr. M. R. Deshmukh, Advocate for Respondent No. 5 in WP/227/24 &
Respondent No.4 in WP/1502/24

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRAGADE, JJ.

DATE : 14th August, 2024

ORDER:

1. The learned Advocate for the Maharashtra Knowledge Corporation Ltd., Respondent no.5, submits that MKCL is unconcerned with the selection process conducted for the MSRTC. MKCL has been erroneously arrayed as a Respondent.

2. The learned Advocate for MSRTC, Shri Bagul submits that a mis-statement was made earlier by the Petitioner that, the entire selection process is handled by Maharashtra Knowledge Corporation Ltd. (MKCL). He further submits that the entire selection process was completed by Synergy Technology Services, Mumbai. The mistake committed in the wait list was corrected subsequently. 47 Posts of Assistant (Junior) are available. The latest list is not defective.

3. The learned Advocate for the Petitioners, expressing regret, seeks leave to add Synergy Technology Services, Mumbai (STS) as a Respondent, by deleting Respondent No.5 MKCL in Writ Petition No. 227/2024 and Respondent No.4 MKCL in Writ Petition No. 1502/2024. Deletion is permitted. Addition be carried out.

4. There are 47 posts of Assistant (Junior) in the first list. The STC erroneously prepared a select list of 44 candidates. This mistake was later on corrected. The Petitioner, Kiran Ramesh Jaibahar has secured 74 marks and Respondent No.4, Deepak Borde has secured 76 marks. Therefore, Respondent No.4 is above the present Petitioner in the merit list. The learned Advocate for the Petitioners placed on record a compilation of three documents. The said compilation (3 pages) is marked as 'X' for identification.

5. Page 1 of the compilation 'X' is the communication dated 24.04.2024, addressed by the General Manager, MSRTC to all the Divisional Controllers of the MSRTC in the State of Maharashtra, stating therein that the appointment to the available post would be made after following the due procedure of verification of documents and medical examination, strictly as per the marks secured by the candidates in the said entrance examination and as per the advertisement. In view of this communication, the learned Advocate for the Petitioners submits that these Petitions can be disposed off. If the Petitioners find themselves to be in order of merit and are held eligible for appointment, their grievance would be redressed. The learned Advocate for the Petitioners further submits that if the Petitioners found eligible and are in the merit list, appointment would issued. If there are more candidates who have secured higher marks than the Petitioners and they are in the select list, the MSRTC may proceed to appoint the eligible candidates.

6. In view of the above, **both these Writ Petitions are disposed off.**

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan