



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 3068 OF 2024

Vishvjeet Vasantryao Kulkarni

VERSUS

The State Of Maharashtra Through  
Its Principal Secretary And Another

...

Mr. M. S. Shaikh, Advocate for the Petitioner

Mr. A. A. A. Khan, AGP for Respondent Nos. 1 and 2

...

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

DATE : MARCH 20, 2024

PER COURT :

1. The Petitioner possesses Diploma in Civil Engineering. He is eligible to be considered in view of the Advertisement No. 01/2023 dated 10.10.2023. The grievance is that candidates having degree qualifications, as well as higher qualifications, are also eligible and the Petitioner would be ignored.

2. It is undisputed that, in the selection process, it is nowhere mentioned that the Degree holder would be given higher marks or that a particular quantum of marks was allocable to the candidates having degree certificates or higher qualifications. In short, all the candidates are expected to compete and if a

diploma holder secures higher marks in the process of recruitment, he would be in the merit list.

3. The judgment of the Maharashtra Administrative Tribunal dated 13.03.2024, delivered in a bunch of Original Applications, is sought to be assailed before us.

4. **Issue notice** to the Respondents, returnable on 17<sup>th</sup> April, 2024. The learned AGP waives service of notice on behalf of Respondent Nos. 1 and 2.

5. Needless to state, there is no impediment for completion of the selection process. However, the selection of the candidates would not create any equities in their favour and such selection would be subject to the result of this Petition.

6. All office objections to be removed on or before 04.04.2024, failing which, this Petition shall stand dismissed without further reference to the Court on 05.04.2024.

(R. M. JOSHI, J)  
Malani

(RAVINDRA V. GHUGE, J)