

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6897 OF 2024

Praful Tanaji Ingole

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. Nikhil Patil for the Petitioner.

Mr. Vikas Mali, AGP for the Respondent No.1/State.

**CORAM : NITIN JAMDAR AND
M.M. SATHAYE, JJ.**

DATE : 11 JUNE 2024

P.C. :

. Heard learned counsel for the parties.

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2. The Petitioner is aggrieved by the communication dated 11 November 2022 informing the Petitioner that the Petitioner has not been selected in the recruitment process undertaken by the Respondent No.2-Maharashtra State Electricity Distribution Company Ltd. for want of necessary documents.

3. The Respondent No.2-Distribution Company had issued an advertisement in July 2019 for filling up almost 2000 posts, one of which was of Junior Operator. The Petitioner applied for the post pursuant to the said advertisement. In the advertisement the eligibility criteria was secondary school certificate, National Trade Certificate ("NTC") and National Apprenticeship Certificate ("NAC") issued by the National Council for Training in Vocational

Trade ('NCTVT'). The advertisement stipulated that two documents i.e. ITI Certificate of the Delhi Board and Certificate of NTC or NAC had to be produced. The Petitioner did not submit ITI certificate.

4. The learned counsel for the Petitioner submits that the observations in the impugned communication that the certificate issued by NCTVT Board not being produced is incorrect. Be that as it may, the requirement of certificate of ITI was admittedly not fulfilled by the Petitioner. The learned counsel for the Petitioner sought to contend that the Petitioner has higher qualification and therefore, the requirement of ITI certificate should have been dispensed with. He submits that in case of one candidate, the same was done. However, once in the public advertisement, a particular document/certificate has been stipulated as an essential requirement, pursuant to which several candidates would have applied, the stand taken by the Respondent No.2-Company that for want of essential documentation, the Petitioner's application cannot be accepted, is not illegal. It is not possible for us to declare equivalence when the basic document of certificate of ITI was not produced. Even otherwise, the advertisement was of the year 2019, the impugned order is of the year 2022.

5. In these circumstances, no relief can be granted in this petition. Writ Petition is accordingly rejected.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)