

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**REVIEW PETITION NO.121 OF 2024
IN
WRIT PETITION NO.6194 OF 2024**

Pallavi Laxman Barate .. Petitioner
Vs.
The State of Maharashtra,
Through Revenue and Forest Department and Anr. .. Respondents

Mr. Kishor Patil with Mr. Shrikant D. Patil, Advocates for the Petitioner.
Mr. N.C. Walimbe, Additional Government Pleader with Mr. N.K. Rajpurohit, Assistant Government Pleader for Respondent No.1-State of Maharashtra.
Ms. Pranali Kakade, Advocate for Respondent No.2-MPSC.

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 20TH DECEMBER 2024.

PC. :

1. We have heard the learned counsel for the parties for some time. It is urged by the learned counsel for the petitioner that the petitioner had applied for the post of “Assistant Conservator of Forest” in the OBC Female category. By referring to page 98 of the Review Petition, which is a “Revised List of Candidates - Eligible for Recommendation” prepared on 20th June 2022, it is submitted that at Sr.No.10 the candidate from “Open Female” category was placed. At Sr.No.13, the second post has been shown from “Open Female” category. At Sr.No.19, the candidate “Ghotkar Shweta Ashok” who was placed as “Open Female - 3” was disqualified by the

Forest Department in view of the communication dated 22nd April 2022. Despite that, her name has been retained in the Revised List of Candidates. It is submitted that after striking out the name of the candidate – Ghotkar Shweta Ashok, the next candidate at Sr.No.20 who has secured 246 marks would be the third “Open Female” candidate. Consequently, the candidate at Sr.No.21 who has been shown against “OBC Female - 1” would shift to “Open Female – 4”. It is thus submitted that the next candidate in the “OBC Female - 1” category is the petitioner and that she was eligible to be selected.

2. In the affidavit-in-reply filed by the MPSC this position has not been clarified. It would be necessary for the MPSC to indicate how the Revised List of Candidates would operate after deletion of the name of the candidate at Sr.No.19 – Ghotkar Shweta Ashok who was disqualified. An additional affidavit to this extent shall be placed on record.

3. Put up for further consideration on 10th January 2025.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]