



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 4136 OF 2023

(Prabhakar s/o Damodar Mahajan ..vs.. State of Maharashtra, through its Secretary, Mumbai and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M.V. Bute, Counsel for the petitioner,
Mr. A.J. Gohokar, AGP for the respondent No.1,
Mr. S.D. Sonare, Counsel for the respondent Nos.2 and 3.

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATE : 27-11-2024

There is no dispute that the petitioner who belongs to the Special Backward Class, came to be appointed on the post of Assistant Teacher which was reserved for candidates for the Scheduled Tribe Category. There is no provision for conversion of the reservation from one category to another category. The learned Counsel for the petitioner has also been unable to point to us any such provision. The appointment, therefore, of the petitioner to a post reserved for Scheduled Tribe Category itself was illegal from the inception, considering which we do not see any reason to interfere in the order dated 01-4-2021 (Page No. 55) by which the petitioner has been placed on a supernumerary post in terms of the Government Resolution dated 21-12-2019. The petition, therefore, dismissed. No costs.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)