



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3052 OF 2024

Mohan Raosaheb Doiphode

..PETITIONER

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....
Mr. D.R. Jayabhar, Advocate for petitioner
Mr. P.K. Lakhotiya, A.G.P. for respondents
....

CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ.
DATE : 09th JUNE, 2025

PER COURT :

1. The petitioner, who is the projected affected person, responded to the advertisement dated 08th June, 2023 issued by Respondent No.2 to fill-up the post of Forest Guard (Grade 'C'). The advertisement contemplated that the candidate needs to secure minimum 45% marks in the online examination for the said post. The online examination was of 120 marks. There is no dispute that the petitioner had secured 52 marks which comes to 43.3%. It is admittedly below the minimum benchmark of 45% marks. Since the petitioner could not qualify, approached the Maharashtra Administrative Tribunal ('MAT') in Original Application No. 132 of 2024. Said application came to be dismissed by order dated 22nd February, 2024. The observations made in paragraph nos. 6 and 7 therein read thus :-

“6. *There cannot be a dispute about the observations made and the findings recorded as above by the Hon’ble Apex Court. It however, does not appear to us that the same would apply to the facts and circumstances involved in the present matter. Clause 8.1.5 provides that candidates shall score minimum 45% marks in the online examination and the said candidates only would be eligible to participate in the further selection process. The restriction as has been imposed by the respondents is a reasonable restriction. It, therefore, cannot be alleged as illegal, arbitrary or unconstitutional. The applicant has been disqualified since he has not secured the minimum prescribed marks and on that sole ground he is debarred from participating in the further selection process.*

7. *In view of the facts as above, according to us, no ground is made out by the applicant even for issuance of the notices to the respondents. There appears no propriety in keeping the matter pending. ...”*

2. We have heard learned counsel for the petitioner and learned A.G.P for the respondents.

3. The petitioner participated in the said recruitment process, however could not secure minimum 45% marks in online examination. Thus, we do not see that the MAT has committed any error in dismissing the original application. In view of the same, writ petition stands dismissed.

(NEERAJ P. DHOTE, J.)

(R.G. AVACHAT, J.)

SSD