



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 8031 OF 2025

Sarang Sunil Warad

...Petitioner

**Versus**

The Union of India & Ors.

...Respondents

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- Mr. N. B. Khandare, Senior Counsel i/b Mr. Sunil Warad, for Petitioner.
- Mr. Sadanand S. Deve, for Respondent Nos.1 and 3.
- Mr. S. D. Ghayal, Addl. GP for Respondent Nos.2 and 5.
- Mr. Parag P. Shahane, for Respondent Nos.4 and 6.

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CORAM : MANISH PITALE AND  
Y. G. KHOBRAGADE, JJ.

DATE : 07<sup>th</sup> JULY 2025.

P. C. :

1. Heard learned senior counsel appearing for the petitioner.
2. Mr. Deve, learned counsel waives notice on behalf of respondent Nos.1 and 3. Mr. Ghayal, learned AGP waives notice on behalf of respondent Nos.2 and 5. Mr. Shahane, learned counsel waives notice on behalf of respondent Nos.4 and 6.
3. In the facts and circumstances of the present case and the view that we have taken in the matter, we don't find it necessary to put respondent No.7 to notice.
4. A short grievance in the present petition is that in a

ceremony to be held in the Rashtrapati Bhavan for distributing President's certificates to Scouts/Guide/Rovers/Rangers, the respondent Nos.4 and 6 have decided to forward the name of only the respondent No.7, who is in the category of Guides to attend the certificate distribution ceremony at the Rashtrapati Bhavan to be held on 22<sup>nd</sup> July 2025.

5. The petitioner takes objection to the aforesaid action of the respondent Nos.4 and 6, contending that from amongst the category of Scouts the petitioner is the only candidate from the State of Maharashtra and therefore, he ought to have been included in the candidates permitted to attend the said function/ceremony at the Rashtrapati Bhavan on 22<sup>nd</sup> July 2025.

6. It was specifically submitted on behalf of the petitioner that the method of gauging the capability of Scouts is different from that of the Guides and therefore, there cannot be any *inter se* merit between the Scouts and Guides. Although the respondent No.7 is shown to have obtained 53 marks out of 60, the same cannot be compared to the 46 marks obtained out of 60 by the petitioner, particularly because the petitioner is in a distinct and different category i.e. Scouts and he is the only such candidate from the State of Maharashtra chosen to be

the bestowed with the President's certificate.

7. The learned counsel appearing for respondent Nos.4 and 6 has tendered an affidavit-in-reply alongwith documents. We have taken the same on record.

8. We are of the opinion that the communication received by respondent No.4 dated 25<sup>th</sup> June 2025, from respondent No.3 itself records a specific reason why name of only one suitable and deserving candidate is to be forwarded for attending the said ceremony in the Rashtrapati Bhavan on 22<sup>nd</sup> July 2025. The relevant portion of the said communication reads as follows :

*“In cases where a State Association has more than one eligible candidate under Merit List, the State Association is requested to **nominate one most suitable and deserving candidate** from among those listed. **No additional names will be accepted under any circumstances, and no exceptions or special requests will be entertained by the National Headquarters as we must strictly comply with the capacity limitations of the venue. We seeks your full cooperation and support in this remarkable endeavor.**”*

9. A perusal of the above quoted portion shows that the obvious reason is capacity limitation at the venue in Rashtrapati

Bhavan. This Court cannot judicially review the said basis for limiting the number of candidates to one from each State. In such a situation, the said respondents have decided to forward the name of respondent No.7, who has received 53 marks out of 60 in CBT as compared to 46 marks out of 60 of the petitioner. Even if the category of Scouts and Guides is stated to be distinct and different, we are of the opinion that the criterion adopted by respondent Nos.4 and 6 is reasonable and rational in deciding to choose the name of respondent No.7 as the candidate from the State of Maharashtra to attend the ceremony at the Rashtrapati Bhavan on 22<sup>nd</sup> July 2025. No arbitrariness can be alleged in such a situation. In any case, it is a matter of record that the petitioner, in the category of Scouts and other 16 candidates in the category of Guides, would certainly receive the President's certificate.

10. Hence, no case is made out for exercising writ jurisdiction in the facts and circumstances of the present case.

11. The writ petition is dismissed. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)