

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

WRIT PETITION NO.205 OF 2025

Samarth S/o Narayan KassaPetitioner

Vs.

The State of Maharashtra and Ors.Respondents

Ms. Sakshi Thombre i/b Mr. Siddheshwar Thombre for the
Petitioner.

Ms. P. M. J. Deshpande, AGP for the State, Respondent No.1.

Mr. R. S. Alange for the Respondent Nos. 1 to 4.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 13th MARCH, 2025

P.C. :-

1. We find a typographical error in paragraph No.5 of our
order dated 13th February, 2025 wherein, the date “30th March,
2017” has been wrongly typed instead of “30th March, 2027”.

2. The order be corrected and uploaded.

3. The issue in this petition would be as to whether a

candidate not having the requisite qualifications mentioned in the advertisement and having higher qualifications, should be appointed on a vacant post, when the advertisement does not talk of granting preference to the higher qualification. The law laid down by the Hon'ble Supreme Court in *Zahoor Ahmad Rather and Ors. Vs. Sheikh Imtiyaz Ahmad and Ors.* 2019 2 SCC 404, could be applicable to this case. The learned Advocate for the respective sides seek time to research and look up to case law.

4. List the Writ Petition on 1st April, 2025 in the fresh admission category.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)