

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

WRIT PETITION NO. 6502 OF 2024

Pratik Bhagawan Taware ... Petitioner
Versus
Maharashtra Public Service Commission Respondent

Mr. Pratik Bhagawan Taware-Petitioner in-person.
Mr.Gaurav Bandiwadekar a/w Ms.Gayatri Bandiwadekar, for the
Respondent No.4.
Mr. Kushal Amit, 'B' Panel Advocate for Respondent-State.

**CORAM : M.S.KARNIK AND
N.R.BORKAR, JJ.**

DATE : 24th JULY 2025

P.C. :

1. The challenge in this petition by the petitioner who appears in-person is to the order dated 15/01/2024 passed by the Maharashtra Administrative Tribunal ("the Tribunal", for short) in Original Application No. 823 of 2023. The petitioner in-person assailing the order passed by the Tribunal submitted that the petitioner has necessary qualification and experience which is required for appointment to the post of 'Assistant Director, Town Planning, Maharashtra Town Planning & Valuation Service, Group-A' pursuant to the issuance of the advertisement dated 28/01/2022. The petitioner applied for being appointed on the

said post. Maharashtra Public Service Commission ('MPSC', for short) was of the opinion that the petitioner has requisite educational qualification and therefore there was no difficulty on this ground. Further so far as experience criteria is concerned, it is pertinent to note that the petitioner has claimed to possess experience of more than 5 years in town planning or town planning & valuation of lands and buildings while working in responsible position as required under paragraph 8.2 of the advertisement by contending that he has worked mainly in private organizations which are of certain builders and developers who have done i) township development & residential projects and ii) office & commercial development projects. Whether experience possessed by the petitioner fulfills the eligibility as required under the advertisement was referred to the opinion of the expert committee of MPSC. The expert committee of MPSC observed that the petitioner does not have any experience of working in town planning or town planning and valuation of lands and buildings and hence he was ineligible.

2. We have perused the order passed by the Tribunal. We do not see any reason to interfere with the order passed by the Tribunal.

It is not possible for the Court to substitute its opinion for the opinion of the expert body like the MPSC in considering the suitability of the candidate. The Tribunal relied upon the decision of the Supreme Court in ¹**Secretary (Health) Department of Health & F.W. and anr. Vs. Dr. Anita Puri & Ors.** wherein it is observed thus:

"It is too well settled that when a Selection is made by an expert body like public Service Commission which is also advised by experts having technical experience and high academic qualification in the field for which the selection is to be made, the courts should be slow to interfere with the opinion expressed by experts unless allegations of mala fide are made established. It would be prudent and safe for the courts to leave the decisions on such matters to the experts who are more familiar with the problems they face than the courts. If the expert body considers suitability of a candidate for a specified post after giving due consideration to all the relevant factors, then the court should not ordinarily interfere with such selection and evaluation. Thus, considered we are not in a position to agree with the conclusion of the High Court that the marks awarded by the Commission was arbitrary or that the selection made by the Commission was in any way vitiated."

3. We find no error in the approach of the Tribunal to warrant interference in the writ jurisdiction of this Court under Articles 226 & 227 of the Constitution of India.

4. The petition is dismissed.

(N.R.BORKAR, J.)

(M.S.KARNIK, J.)

¹ (1996) 6 SCC 282