

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

WRIT PETITION NO.5532 OF 2025

Vasudha Milind Jamdar

....Petitioner

Versus

The Maharashtra Public
Service Commission and Ors.

....Respondents

Mr. Chaitanya Sudhir Kulkarni a/w. Ms. Amruta Devkat for the
Petitioner.

Mr. Ashutosh Kulkarni a/w. Mr. Siddharth Shitole for Respondent
No.1.

Mr. Siddheshwar Kalel, AGP for Respondent No.2.

Mr. Ashish S. Gaikwad for Respondent No.3.

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

DATE : 29th APRIL, 2025

P.C. :-

1. A peculiar case is brought before us by the Petitioner,
who desires to appear in the Maharashtra Gazetted Civil Services
Combined Preliminary Examination (Agricultural Services), 2024,
pursuant to the Advertisement No.414 of 2023.

2. The learned Advocate for the MPSC has raised a
serious objection that this Court cannot entertain this Petition in the

light of Section 3(q) read with Section 15(1)(a) of the Administrative Tribunals Act, 1985.

3. The Petitioner is a 4th year student of the B.Sc. Agriculture course. Before she could appear for the last semester, i.e., the 8th Semester, she appeared for the preliminary exams by virtue of Clause 6.3.3 of the advertisement which permitted candidates who have not yet passed the final year examination, indicating that the Graduation course has been completed. However, the embargo on appearing for the main exams is Clause 6.6 which mandates that the said candidate must have passed the final semester/exam of the particular Graduation course. The Petitioner was undergoing the 8th Semester course when she appeared for the preliminary exams.

4. The 8th Semester/final exam was conducted in April, 2025. The result is expected in June, 2025. She cleared the preliminary exam. The last date for filling in the main examination online application form was upto 23:59 hrs. on 25th April, 2025. There is no dispute that the Petitioner did not have the 8th Semester

examination result since the same is yet not declared by the Mahatma Phule Krishi Vidyapeeth Rahuri. The learned Advocate for the Petitioner submits that in such circumstances, there are many candidates who upload the 7th Semester exam result sheet and their forms are accepted even for the main exam. The Petitioner's form is also accordingly accepted online and she may get the chance to appear for the main exam.

5. On the one hand, the learned Advocate Mr. Kulkarni is right in objecting that this Petition should not be entertained by this Court and the Petitioner should be relegated to the learned Maharashtra Administrative Tribunal. On the other hand, the Petitioner has succeeded in getting her online examination form uploaded, though by following an unusual modus.

6. It cannot be disputed that if the candidate does not pass the final year exam, as may be required by the requisites of the advertisement, he/she cannot further participate in the selection process and even if such a candidate has coincidentally passed the main exam and fails in the final semester exam at the graduation

level or there is any legal impediment, the candidature stands automatically ousted. Since she has succeeded in getting her application form uploaded, we are not required to deal with this Petition.

7. In view of the above, **this Petition, therefore, is disposed off.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)