VARSHA VIJAY RAJGURU
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6793 OF 2025

Sagar Sukhdeo Nalkande … Petitioner

vs.

Maharashtra Public Service Commission and Ors … Respondents

Mr. Shrikant Dinkar Patil a/w. Mr. Arjun S. Pawar for Petitioner.

Ms. Kavita N. Solunke, AGP for the State.

CORAM : GAURI GODSE AND
SOMASEKHAR SUNDARESAN, JJ.

DATED : 30h MAY 2025
(VACATION COURT)

ORDER:

1. Learned counsel for the petitioner submits that he has given notice to the MPSC through e-mail. However, none appears for the MPSC.

2. Issue notice to respondents, returnable on 10th June 2025.

3. Learned counsel for the petitioner points out that he has secured 155 marks as is reflected in the general merit list dated 29th March 2025(Exhibit-N). He further points out the provisional select list dated 9th May 2025, showing that the last candidate at Serial No.

104 has secured 148 marks. He further submits that though the petitioner has secured 155 marks, his name is not published in the provisional select list.

4. Learned counsel for the petitioner therefore submits that the petitioner having secured higher marks than the last candidate mentioned in the provisional select list, the petitioner would also be eligible for selection. He, therefore, submits that if the appointment orders are issued, the same would render the petition infructuous. He therefore prays for grant of ad-interim protection.

5. A perusal of the papers of the petition indicates that the petitioner has secured higher marks than the last candidate shown in the provisional select list. The petitioner has also filed a representation before the MPSC making such a grievance. However, it appears that the representations made by the petitioner have not yet been decided. Hence, by way of ad-interim relief, if the final appointment orders are issued, one post shall be kept vacant, enabling the petitioner to stake a claim on the said post, if he succeeds in this petition.

(SOMASEKHAR SUNDARESAN, J.) (GAURI GODSE, J.)