



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.7287 OF 2019

Niraj s/o Shriram Gomase, Yavatmal

-VS-

State of Maharashtra, Thr. Secretary, Revenue and Forest Dept. Mantralaya, Mumbai and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri S. K. Thengri, Advocate h/f Shri G. G. Bade, Advocate for petitioner.
Smt S. S. Jachak, Additional Government Pleader for respondent Nos.1 to 3.

CORAM : NTIN W. SAMBRE AND MRS VRUSHALI V. JOSHI, JJ.

DATE : January 17, 2025

P. C.

1. Heard.

2. The petitioner has questioned the order dated 05/07/2017 delivered in O.A. No.303/2015 wherein the petitioner who holds a qualification of certificate course of I.T.I. Draughtsman (civil) had sought to compete for the post of Surveyor in the Land Records Department of the State Government.

3. The Maharashtra Administrative Tribunal rejected the prayer of the petitioner for permitting him to compete for the said post on the ground of his inadequate academic qualification.

4. Counsel for the petitioner would invite our attention to the Government Resolution dated 28/09/2012 so as to substantiate his contention that the petitioner is holding the qualification of having certificate course in Architectural Draughtsman which is an equivalent qualification prescribed in the Recruitment Rules i.e. Diploma in civil engineering or two years' Surveyor course from I.T.I.

5. No doubt, the petitioner holds a qualification of having certificate course in Architectural draughtsman, however rightly so pointed by the learned Additional Government Pleader Smt Jachak that the said qualification cannot be equated with that which is prescribed in the Recruitment Rules.

6. The Recruitment Rules contemplate that a candidate who possesses Diploma in Civil Engineering or two years' Surveyor course of I.T.I is eligible to compete for the post of Surveyor.

7. Even if we appreciate the contention of the petitioner in the light of his qualification viz. certificate course in Architectural draughtsman, same in any case cannot be equated with that of Diploma in Civil Engineering or two years Surveyor course from I.T.I.

8. The aforesaid basis impressed the Administrative Tribunal to hold that the petitioner cannot be said to be eligible for the post of Surveyor based on his qualification.

9. The said inference while rejecting the claim of the petitioner is drawn by the Administrative Tribunal in the light of what has been expressly provided in the Recruitment Rules.

10. The petitioner since does not hold the qualification of two years' course in Surveyor from I.T.I., he is rightly held to be not eligible for the post of Surveyor. That being so, no case for interference is called for.

11. The writ petition accordingly stands dismissed with no order as to costs.

(Mrs Vrushali V. Joshi, J.)

(Nitin W. Sambre, J.)