



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

100 WRIT PETITION NO.1428 OF 2023

CHETAN SHASHIKANT TAYADE AND OTHERS
VERSUS
STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

.....
Advocate for Petitioners : Mr. T.Y. Sayyed
AGP for Respondent Nos. 1 and 2: Mr. S.G. Karlekar
Advocate for respondent Nos. 3 and 4: Mr. V. D. Khivansar h/f Mr.
A.S. Bajaj
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**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 7th FEBRUARY, 2023.**

PER COURT :-

1. The petitioners have put forth prayer clauses B, C, and D, as under:-

"B. By issuing Writ of Certiorari or any other Writ, order or direction in the like nature, to quash and set aside the notification dated 27/10/2022 at **Exhibit – E** publishing the revised wait list with reference to Advertisement No.04/2019 published by M.S.E.D.C.L. as being unconstitutional, illegal, arbitrary and moreover being issued without any authority of law.

C. By issuing Writ of Mandamus or any other Writ, order or direction in the like nature, to direct the respondent no.03 to grant appointment orders to the petitioners in pursuance of the original wait list.

D. Pending hearing and final disposal of this Writ Petition, the



Respondent may kindly be restrained from filling the remaining vacant posts.”

2. Insofar as prayer clause C is concerned, since selection does not give a right to appointment, this prayer would not be considered by this court, save and except in event of candidates below the petitioner in the merit list, are issued with appointment orders.

3. Issue notice to the respondents, returnable on 20.03.2023. The learned A.G.P. waives service of notice on behalf of respondent Nos.1 and 2. The learned advocate Mr. Bajaj, waives service of notice on behalf of respondent Nos. 3 and 4

4. Let affidavits in reply be filed at least 10 days prior to the returnable date.

5. All office objections to be removed within four weeks.

6. Needless to state, if there is any selection process that has been conducted, and if any appointments are made, the same shall be subject to the result of this petition.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)