



* 1 *

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9591 OF 2014

SACHIN SARJERAO NADE
VERSUS
THE UNION OF INDIA AND OTHERS

...

Shri Rahul B. Bagul, Senior Panel Counsel for respondent Nos.1
and 2.

...

CORAM : KISHORE C. SANT
&
SUSHIL M. GHODESWAR, JJ.

DATE : 08 May 2026

P. C. :-

1. Not on the Board. Mentioned.
2. By way of praecipe, the motion is moved for speaking to the minutes of the order dated 04.05.2026.
3. In paragraph No.8 of the said order, the word 'legality' be read as 'illegality'.
4. The motion is allowed. The order dated 04.05.2026 be accordingly, corrected and uploaded.



(This order dated 04.05.2026 stands corrected and uploaded in view of the order dated 08.05.2026 passed on the motion for speaking to the minutes).

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

26 WRIT PETITION NO. 9591 OF 2014

SACHIN SARJERAO NADE
VERSUS
THE UNION OF INDIA AND OTHERS

Mr.R.B.Ade, Advocate for the petitioner.
Mr.S.V. Suryawanshi, Advocate for the respondent No.3.
Mr.Rahul Bagul, Senior Panel Counsel for respondent Nos. 1 and 2.

(CORAM : KISHORE C. SANT AND
SUSHIL M. GHODESWAR, JJ.)

DATE : 4 MAY, 2026

PER COURT :

1. Heard the learned Advocates for the respective parties.
2. It is the case of the petitioner that he had applied for the post of Fireman, pursuant to the advertisements issued by respondent No.2 / Ordnance Factory, Dehu Road, Pune. Pursuant to that he appeared for the written examination and he has passed it. He became eligible to be appointed on the said post. However, respondent No.3 by written communication dated 01.09.2014 communicated that the certificate annexed by the petitioner is not



from the recognized institution approved by the Government of India and by stating that his candidature was found ineligible.

3. The learned Advocate for the petitioner tried to impress upon the Court that the qualification for the said post was only matriculation. This qualification for the post of Fireman was in addition to the said qualification and the eligibility could not have been determined on that certificate. He further submits that he has completed the course from Jan Shikshan Sansthan, Aurangabad, which is formerly known as Shramik Vidyapeeth, recognized by the Government. He thus submits that the action of the respondent is arbitrary and the petition deserves to be allowed.

4. The learned Advocate Mr. Bagul at the outset, pointed out the advertisement as published in the Employment News of 17-23 March 2012 on the web portal i.e. www.employmentnews.gov.in, wherein the qualification given is as below :-

Qualification and Physical standards :

(I) Matriculation

(ii) Must have completed basic course on elementary fire-fighting



from a recognized Institute (a) The duration of the Basic Fire Fighting Course will not be less than SIX (06) months, (b) The institutes offering Basic Courses on Fire Fighting should be recognized by State Government / Government of India.

5. He further submits that from the advertisement itself, it is clear that the institutions offering basic courses on fire fighting should be recognized by the State Government / Government of India. He submits that by taking inspection of the institution and by collecting information from Human Resources Department, it was found that the same institute was not recognized for offering such basic courses. He points that the petitioner has annexed only some part of the advertisement and tried to mislead the Court. He has also invited our attention to the letter dated 11.04.2014 wherein respondent No.3 itself has stated that the Institute is functioning under Ministry of Human Resource Development and Department of School Education and Literacy and Directorate of adult education. Their institution runs Vocational Education and Literacy Programmes for needy people under non formal education. He further states that the Institute does not have any separate recognition by Central / State Government for conducting basic fire fighting course / any other



courses. It is thus submitted that the petition deserves to be dismissed with heavy costs.

6. The learned Advocate for respondent No.3 submits that all the courses are offered only with a view to give a candidate a training so that they can generate self employment. He submits that, there is nothing to show that the courses are approved by the Government.

7. Considering the above, it is clear that the course, which the petitioner has undertaken, is not recognized by the State or by the Union Government. In the advertisement, there is a stipulation that the institutes offering basic courses on Fire Fighting should be recognized by the State Government / Government of India. This Court thus finds that the petitioner was not holding basic qualification.

8. In view of this, we do not find any **illegality** in holding the petitioner ineligible for the post of Fireman / Fire Fighter. Hence, the petition is dismissed with no order as to costs.

(SUSHIL M. GHODESWAR, J.)

(KISHORE C. SANT, J.)