

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
AURANGABAD BENCH, AURANGABAD**

ORIGINAL APPLICATION STAMP NO. 331 OF 2016

DISTRICT : LATUR

1. Deepak Vasantryao Galande)
2. Shivanand Nagnanth Salunke)
3. Abhijit Arvindrao Bhosale)
4. Vaibhav Jivanrao Patil)
5. Dattaji Balaji Patil)
6. Kiran Salojirao Baraskar)
7. Niranjana Navnath Mhuske)
8. Shreyash Vinayak Bagal)
9. Ganesh s/o. Kiran Dixit)
10. Vithal s/o. Hanmant Dhok)
11. Amit Nagnath Londhe)
12. Dinesh Dattu Salunke)
13. Surekha Ambadas Surwase)
14. Om Babruwan Patil)
15. Kunal s/o. Ashok Mohite)
16. Manohar Gabaru Pawar)
17. Abhiman Annasaheb Sanap)
18. Priyanka s/o. Hemantrao Dinkar)
19. Sudhir Dinkarrao Shinde)
20. Yogesh s/o. Bhagwan Katkar)
21. Amol s/o. Anna Bhople)

**C/o. Adv. Shri M.C. Ghade,
M.A.T., Aurangabad.**

)...Applicant

VERSUS

1. The State of Maharashtra,)
Through it's Secretary)
Water conservation & irrigation)
Department, Mantralaya, Mumbai-32.)
2. The State Level Direct,)
Employment Selection Committee/)
राज्यस्तरीय सरळसेवा निवड समिती नागपुर/ Nagpur (MS))
Through it's President.)**Respondents**

Shri M.C. Ghade, learned Advocate for the Applicant.
Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

CORAM : Shri Rajiv Agarwal, Vice-Chairman

Shri B.P. Patil (Member) (J)

DATE : 16.08.2017

PER : Shri Rajiv Agarwal (Vice-Chairman)

J U D G E M E N T

1. Heard Shri M.C. Ghade, Learned Advocate for the Applicants (absent) and Shri V.R. Bhumkar, Learned Presenting Officer for the Respondents.

2. This O.A. has been filed by the Applicants who had applied for the post of Junior Engineer (Civil) pursuant to the

advertisement No. 1 of 2016 issued by the Respondent No.2, viz. State Level Direct Recruitment Selection Committee, Nagpur to include the qualification of B.E. (Civil) for the recruitment. The Applicants had prayed for interim relief of being allowed to appear in the Examination.

3. It is seen that Government of Maharashtra in Water Resources Department has issued an advertisement No.1/2016 on 18.07.2016 to hold an Examination to fill up 1056 posts of Junior Engineer (Civil). As per para 10.2 of the advertisement, the education qualification is Diploma in Civil Engineering or any equivalent qualification recognized by Maharashtra State Technical Education Board. The Applicants claim that those candidates holding degree in Civil Engineering should be held eligible to appear for the aforesaid examination. The Respondent No.2 has filed an affidavit in reply on behalf of the Respondent No.2 on 28.06.2017. It is stated in the affidavit that a **Writ Petition No. 2781/2016** was filed before Hon'ble High Court, Aurangabad bench challenging the Selection process on the ground that Graduate Engineers were also entitled to be considered in the Selection process. By judgement dated 18.07.2016, Hon'ble High Court dismissed the aforesaid Writ Petition.

4. We find that Hon'ble High Court has already dismissed **Writ Petition No. 2781/2016** seeking identical relief. **Special Leave Petition(s) No. 24475/2016** has been

dismissed by Hon'ble Supreme Court by order dated 02.09.2016 and Hon'ble Supreme Court confirmed the judgement of Hon'ble High Court. As such the present O.A. is not maintainable and it is dismissed with no order as to costs.

(B.P. PATIL)
MEMBER (J)
16.08.2017

(RAJIV AGARWAL)
(VICE-CHAIRMAN)
16.08.2017

Date : 16.08.2017
Place : Aurangabad
Dictation by : NMN
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