

Amol vs State Of Maharashtra on 7 November, 2017

Equivalent citations: AIR ONLINE 2017 SC 693

Author: Kurian Joseph

Bench: R. Banumathi, Kurian Joseph

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL

NO(S) .

7938/201

AMOL

VERSUS

THE STATE OF MAHARASHTRA & ORS .

J U D G M E N T

KURIAN, J.

The appellant applied for the post of Krishi Sevak in the Department of Agriculture, Government of Maharashtra.

2. The Tribunal, on verification of the records found that the application was under the quota reserved for Ex-Servicemen. The appellant obtained only 46.25% marks. It appears that the appointment was offered to the appellant under the category of 'Scheduled Castes'. The appellant was offered appointment on the basis of application and on the basis of marks secured by him for the 'Ex-Serviceman' category.

3. The appellant took up a contention that his appointment is only under the 'Scheduled Castes' category. If it was in the Scheduled Castes category, the last successful candidate had secured 62.75% marks. Therefore, in any case the appellant was not entitled for appointment.

4. In that view of the matter, we do not find any reason to interfere with the concurrent findings 16:50:30 IST rendered by the Tribunal and the High Court.

5. The appeal is, accordingly, dismissed.

6. Pending applications, if any, shall stand disposed of.

7. There shall be no orders as to costs.

.....J. [KURIAN JOSEPH]J. [R. BANUMATHI] NEW DELHI;

NOVEMBER 07, 2017.

NON-REPORTABLE IN THE SUPREME COURT OF INDIA CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO(S). 7940/2010 SHANKAR APPELLANT(S) VERSUS THE STATE OF
MAHARASHTRA & ORS. RESPONDENT(S) WITH J U D G M E N T KURIAN, J.

The issues raised in these appeals have been dealt with by this Court vide judgment dated 07.11.2017 rendered in Civil Appeal No.7938/2010 titled Amol v. The State of Maharashtra and Ors., wherein this Court has upheld the stand taken by the High Court on verification of records that the candidates are not otherwise eligible to be appointed in terms of their merit. The appointment already offered to them was on a mistake of fact, which has only been corrected on verification of the records.

2. Therefore, we do not find any merit in these appeals. The appeals are, accordingly, dismissed.

3. Pending applications, if any, shall stand disposed of.

4. There shall be no orders as to costs.

.....J. [KURIAN JOSEPH]J. [R. BANUMATHI] NEW DELHI;

NOVEMBER 07, 2017.