

(2023) 08 BOM CK 0067
In the Bombay High Court
Case No : Writ Petition No.10173 Of 2023

Rushikesh Gajanan Arankalle

APPELLANT

Vs

State Of Maharashtra And Others

RESPONDENT

Date of Decision : 24-08-2023

Acts Referred:

Citation : (2023) 08 BOM CK 0067

Hon'ble Judges : Sunil B. Shukre, J; Firdosh P. Pooniwalla, J

Bench : Division Bench

Advocate : Vaibhav Ugle, Vikas Somawanshi, Roshan Chavan, Shubham Vasekar, V.M. Mali

Final Decision : Disposed Of

Judgement

Sunil B. Shukre, J

1. RULE. Rule is made returnable forthwith. Heard finally, by consent of learned counsel for the respective parties.

2. It appears that the claim of the petitioner for receipt of the award has been rejected erroneously by the Award Selection Committee. It is the contention of the petitioner that although he has participated in three National Championships during the qualifying period, in which he was also awarded a Gold Medal, this fact has not been considered by the Award Selection Committee as sufficient to meet the criteria of clause 6.1 of the said Government Resolution, copy of which is annexed at page 56 to the petition.

This is a patent illegality committed by the Award Selection Committee and, therefore, this petition deserves to be allowed. Accordingly, we pass the following order :-

(i) Petition is allowed. The rejection of the claim of the petitioner by the Award Selection Committee is hereby quashed and set aside.

(ii) The matter is remanded back to the Award Selection Committee for its

decision afresh in accordance with law and keeping in view the applicable Government Resolutions, rules and guidelines and also in the light of the observations made here-in-above.

(iii) Before taking decision, as directed here-in-above, the Award Selection Committee shall grant hearing to the petitioner, for which purpose the petitioner shall appear before the committee on 25th August 2023 at 2:00 p.m.

(iv) The Award Selection Committee shall take its decision latest by the evening of 26th August 2023 and communicate the same to the petitioner and other similarly situated petitioners, whose claims have been directed to be reconsidered in accordance with law by the committee.

3. Rule is made absolute in the above terms. No costs. Petition is disposed of.