

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 8568 OF 2022

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Khopegao Road, Pragati Nagar, Latur ... Petitioners

Versus

1) The State of Maharashtra
Water Resource Department
Through its Principal Secretary,
Mantralaya, Madam Cama Road,
Mumbai 400 001

2) Public Works Department
Through its Principal Secretary,
Mantralaya, Madam Cama Road,
Mumbai 400 001 ... Respondents

Ms. Neeta Karnik a/w Mr. Sangharsh Waghmare for the
Petitioners.

Mr. Ram S. Apte, Senior Advocate a/w Mr. Harshal P. Nahata i/
b. Mr. P.P. Kakade, Govt. Pleader, Mr. B. V. Sawant, AGP for the
Respondent No.1- State.

**CORAM : S.V. GANGAPURWALA, ACJ. &
SANDEEP V. MARNE, J.**

**RESERVED ON : 16 JANUARY, 2023
PRONOUNCED ON : 30 JANUARY, 2023**

JUDGMENT (Per SANDEEP V. MARNE, J.) :

1. By this Petition, Petitioners assail the judgment and order dated 5th July, 2022 passed by the Maharashtra Administrative Tribunal, Mumbai (**Tribunal**), thereby rejecting Petitioners' Original Application No.750 of 2021. They had challenged advertisement dated July 22, 2019 issued by Respondent No.1 for filling up posts of Junior Engineer (Civil) Group-B (Non-Gazetted) in Water Resources Department to the extent it sought to exclude degree holders from participating in the selection process.

2. Facts of the case, briefly stated, are that an advertisement came to be issued by the Water Resources for filling up posts of Junior Engineer (Civil) Group-B (Non-Gazetted) prescribing the eligibility criteria of 'Diploma in Civil Engineering or Part-time or Distance Education equivalent to a three year diploma in Civil Engineering recognized by the

Maharashtra State Board of Technical Education, Mumbai.’

3. Petitioners, who hold degree in Civil Engineering, felt aggrieved by the eligibility criteria prescribed in the advertisement which apparently sought to exclude them. Therefore, Original Application No.750 of 2021 came to be instituted by them before the Tribunal challenging advertisement dated July 22, 2019. Reliance was placed before the Tribunal on Recruitment Rules being ‘Junior Engineer (Civil) Group-B (Non-Gazetted) in the Public Works Department and the Irrigation Department, Recruitment Rules, 1998’ (**Recruitment Rules, 1998**), prescribing the qualification of ‘3 years diploma in Civil Engineering recognised by Government or any other qualification recognised as equivalent thereto.’ It was contended that the qualification of degree in Civil Engineering is covered by the expression ‘any other qualification recognised as equivalent thereto’. Reliance was also placed on Recruitment Rules notified on April 25, 2018 for post of Sectional Engineer (Civil) Group-B, wherein the Junior Engineers recruited with qualification of degree in Civil Engineering are included in feeder cadre. Reliance was also placed before the Tribunal on

the judgment of Apex Court in ***Puneet Shama & Ors. Versus Himachal Pradesh State Electricity Board Ltd & anr***¹. The Tribunal proceeded to dismiss Original Application by its judgment and order dated July 5, 2022. Aggrieved by the judgment and order passed by the Tribunal, Petitioners have filed the present Petition. When the present Petition came up for hearing on July 25, 2022, an objection was raised on behalf of the State Government about delay in approaching the Tribunal on the part of Petitioners. This Court, by its order dated 25th July 2022, recorded that the Tribunal had already condoned the delay vide its order dated 30th November, 2021, which order was not challenged by the State Government. When this Petition once again appeared before this Court on 28th July, 2022, this Court granted liberty to the Respondents to hold the examination on the scheduled dates but restrained them from declaring the results without obtaining leave of this Court.

4. Appearing for Petitioners, Ms. Karnik, the learned counsel would submit that the Tribunal has not considered the submissions advanced before it in right earnest and has

¹ 2021 SCC Online SC 291

ignored that the degree holders are also deemed to be included in the eligibility criteria for appointment to the post of Junior Engineer. She would place reliance on the Recruitment Rules for post of Sectional Engineer which were earlier notified on June 16, 1997 and came to be amended on April 25, 2018. She would submit under 2018 Amended Rules, Junior Engineers recruited with qualification of degree are considered eligible for promotion to the post of Sectional Engineer. She would submit that based on provisions of Recruitment Rules for promotional post of Sectional Engineer, it is required to be inferred that degree holders are also eligible for being appointed as Junior Engineer. In this regard, she places reliance on judgment of Apex Court in the case of ***Puneet Shama*** (supra) by contending that in the identical circumstances, the Apex Court accepted the qualification of degree for recruitment on the post of Junior Engineer. Ms. Karnik would also place reliance on Government Resolution dated September 9, 2021 prescribing the Model Recruitment Rules providing that candidates holding higher qualification than minimum educational qualification are also required to be considered eligible. She would rely upon Government Resolution dated April 16, 1984 by which gazetted status came

to be conferred on graduate and other Junior Engineers. Relying on the said Government Resolution, she would contend that Junior Engineer's recruitment with qualification of degree in Civil engineering is once again presumed while issuing the said Government Resolution. Ms. Karnik would also rely upon the Corrigendum dated December 2, 2017, providing that in the event of candidates securing same marks, priority is required to be accorded to the ones possessing higher qualification. Ms. Karnik would contend that now the post of Civil Engineering Assistant, which is lower post than the Junior Engineer, can be filled up by appointing the degree holders and that therefore, it would be highly illogical if degree holders are excluded from the selection for the recruitment on the post of Junior Engineer.

5. *Per contra*, Mr. Apte, the learned senior advocate appearing for the State Government would oppose the Petition and support the order passed by the Tribunal. He would submit that the provisions of Recruitment Rules are required to be scrupulously observed and that this Court in its power of judicial review would be loath in reading the same otherwise. Inviting our attention to the Recruitment Rules 1998, Mr. Apte

would contend that the Rules clearly permit only diploma holders to participate in the selection for direct recruitment for the post of Junior Engineer. He would submit that the words 'degree in Civil Engineering' are absent in Recruitment Rules and this Court cannot read the same into the Rules. So as far as the Recruitment Rules for the promotional post of Sectional Engineer are concerned, Mr. Apte would offer an justification for including the degree holders recruited as Civil Engineer in feeder cadre for Sectional Engineer by submitting that there used to be recruitment of degree holders as Junior Engineer in the past. He would invite our attention to the provisions of Government Resolution dated December, 19, 1970 laying down rules for appointment of Maharashtra Engineering Services Group-I and II. Inviting our attention to paragraph 9 of the Government Resolution, Mr. Apte would contend that the degree holders could be appointed in the Engineering services and in order to cover such Junior Engineers recruited with qualification of degree in Civil Engineering, clause (a) has been included in the recruitment Rules for the post of Sectional Engineer. Mr. Apte would rely upon the judgment of this Court in *Sangram Ramdas Gholve*

and ors. versus State of Maharashtra² in which this Court upheld the action of the State Government in excluding the degree holders from participating in selection process in respect of 75% posts reserved for diploma holders. Mr. Apte would submit that the judgment in ***Sangram Ramdas Gholve*** (supra) has been upheld by the Apex Court by dismissing the Special Leave Petition on 2nd September, 2016. Inviting our attention to Government Resolution dated April 16, 1984, Mr. Apte would contend that the degree holder Junior Engineers are already treated as Gazetted Officers and the Government Resolution conferred similar benefits to diploma holders on completion of prescribed period of service. In support of his contention, Mr. Apte would rely upon the following judgment;

1. ***Nair Service Society versus D. T. Beermasthan and ors***³

2. ***Zahoor Ahmed and ors versus Sheikh Imteyaz Ahmad and ors.***⁴

3. ***Qazi Gousia Jeelani versus Mehraj Ud Din Najar and ors.***⁵

6. Rival contentions of the parties now fall for our consideration.

2 (2016) 5 AIR Bom R 783

3 (2009) 5 SCC 545

4 (2019)2 SCC 404

5 2022 SCC Online J&K 542

7. The post of Junior Engineer (Civil) is to be filed in accordance with provisions of the Junior Engineer (Civil), Group 'B' Non-Gazetted in the Public Works Department and Irrigation Department (Recruitment) Rules, 1998 dated January 1, 1998, Rule 3 of which provides thus:

3. Appointment to the post of Junior Engineer (Civil), Group 'B' non-gazetted in the Public Works Department and the Irrigation Department shall be made either -

- (a) by promotion of a suitable person on the basis of seniority subject to fitness from amongst the persons holding the post of civil Engineering Assistant who have passed the qualifying examination for the post of Junior Engineer conducted by the Engineering staff College, Nashik having not less than three years regular service in that post; or
- (b) by nomination from amongst candidate who -
 - (i) Are not more than 30 years of age;
 - (ii) Possess a three years diploma in Civil Engineering recognised by Government or any other qualification recognised as equivalent thereto .

8. Perusal of the above 1998 Recruitment Rules would indicate that holders of degree in Civil Engineering are not made eligible for appointment on post of Junior Engineer (Civil). However, the Rules includes the words 'or any other qualification recognised as equivalent thereto'. It has been the case of Petitioners that the degree in Civil Engineering is required to be included in the above expression used in the

Recruitment Rules, 1998. The advertisement prescribed following qualification;

“6. Educational Eligibility : The educational qualification of the candidate mentioned below must be held in full on the date of publication of the advertisement.

6.1 Passed the Secondary School Examination and

6.2 As per the Junior Engineer (Civil) Group-B (Non-Gazetted) Posts (Amended) Recruitment Rules, 1998 of the Public Works Department and Irrigation Department, government approved Three years' Diploma in Civil Engineering or “Part-time” or “Distance Education” equivalent to a three year diploma in Civil Engineering recognized by the Maharashtra State Board of Technical Education, Mumbai.

Equivalent Qualification” of Diploma from a recognized University / Maharashtra State Directorate of Technical Education as follows (Duration 3 years)

- Diploma in Civil and Rural Engineering
- Diploma in Civil and Rural Construction
- Diploma in Transportation
- Diploma in Construction Technology”

The advertisement thus specified what the equivalent qualification would mean. The advertisement has not stipulated degree in Civil Engineering either as main qualification or as an equivalent qualification.

9. Faced with the above situation, Petitioners have relied upon the provisions of the Recruitment Rules for the post of Sectional Engineer notified on April 25, 2018, Rule 4 of which reads thus;

“4. For rule 3 of the Principal Rules, the following rule shall be

substituted, namely-

3. Appointment to the post of Sectional Engineer (Civil), Group-B, (Gazette), in the Maharashtra Services of Engineers shall be made on the basis of seniority subject to fitness, from amongst the persons holding the post of Junior Engineer who,-

(a) Possess a degree of statutory University or of recognized institute, in Civil Engineering or any other qualification declared by the Government to be equivalent thereto and joined in this cadre willingly, and have put in not less than five years regular service as a Junior Engineer on regular establishment in the Department; or

(b) Possess a three years Diploma of Statutory University or awarded by the State Technical Education Board in Civil Engineering or any other qualification declared by the Government to be equivalent thereto ; and have put not less than five years regular service as Junior Engineer on regular establishment in the Department; or

(c) Possess an Upper Subordinate Certificate awarded by the Osmania University, or any other qualification declared by the Government to be equivalent thereto, and have put in not less than seven years regular service as Junior Engineer on regular establishment in the Department; or

(d) Does not possess any of the qualification mentioned in clause (a), (b) and (c) above but have put in not less than ten years regular service as a Junior Engineer on regular establishment in the Department:

Provided that, Junior Engineer possessing the qualification and experience in clause (a), (b), (c) and (d) above should have passed the Professional Examination specified in Appendix - I of the Maharashtra Public Works Manual for the post of Junior Engineer, before appointing to the post of Sectional Engineer (Civil), Grade-B”

(emphasis supplied)

Relying on Rule 3, it is contended that a person recruited as Junior Engineer with qualification of degree and not less than 5 years of service as Junior Engineer is eligible to be promoted as Sectional Engineer. On the basis of Clause 3(a), an inference is sought to be drawn by Petitioners that Junior Engineer can

be recruited with qualification of degree in Civil Engineering. When it was put across to Ms. Karnik that clause 3(a) might cover Junior Engineers initially recruited with qualification with diploma but who have acquired degrees during their service, she would counter said suggestion by submitting that such persons would be covered by clause 3(b). It is therefore submitted that if a person holding degree in Civil Engineering is held ineligible to be recruited as Junior Engineer, the provisions of clause 3(a) of Sectional Engineer recruitment Rules would be rendered redundant.

10. This is how an inference is sought to be drawn about the entitlement of degree holders to get recruited as Junior Engineer by relying on provisions of recruitment Rules of promotional post of Sectional Engineer. It is submitted that the same can be done on the basis of judgment of Apex Court in ***Puneet Shama*** (supra). It is contended that in ***Puneet Shama*** (supra), the Supreme Court relied upon the qualification of higher post of Assistant Engineer which included degree holder Junior Engineer in feeder cadre and on that basis, the Apex Court held that the degree holders to be eligible for recruitment as Junior Engineer. However, close scrutiny of

Puneet Shama (supra) would indicate that the same has no application to the facts of the present case. In ***Puneet Shama*** (supra), the Recruitment Rules for promotion to the post of Assistant Engineer *inter alia* included the following feeder cadres:

(iii) from amongst those persons who pass/acquire the qualification of AMIE (Section A & B) or who acquire Full time / Regular Degree in Electrical Engineering / Electrical & Electronic Engineering / Computer Science Engineering. Electronics & Communication Engineering & Information Technology in service after confirmation to service = 5%

(iv) Drawing Staff:

Circle Head Draftsman possessing Diploma in Elect. Engineering or Diploma Certificate of Draftsmanship from a recognized Institute having 5 years' service in the grade falling which 10 years' service as Draftsman /Head Draughtsman / Circle Head Draughtsman and failing both total 15 years services in the Draft cadre. = 4%

(v) Before joining the services as JE who possess Regular / Full time degree in Electrical Engineering / Electrical & Electronic Engineering / Computer Science Engineering. Electronics & Communication Engineering & Information Technology from a recognized university approved by the AICTE. Ex-servicemen who have the relevant qualification equivalence to a recognised Degree in Electrical Engineering or Electrical & Electronic Engineering Stream / discipline recognized by the Govt. of India or person who posses AMIE qualification in above stream / discipline from Institute or Engineers (India Calcutta) after confirmation to service . =5%.

11. Thus, in ***Puneet Shama*** (supra), 5% vacancies were reserved for those diploma holders who acquired degree qualification during the service as Junior Engineer and 5% additional vacancies were reserved for those who hold degrees before joining as Junior Engineer. Thus, express provision in

the Recruitment Rules for promotional post of Assistant Engineer for consideration of Junior Engineer recruited with qualification of degree indicated that Junior Engineers could be recruited as Junior Engineers. In the present case, there is no such express provision. In absence of an express provision, what is sought to be drawn is a mere inference.

12. It is well settled law that the judgments are rendered in the light of facts and law involved in each particular case. With slight difference in facts and law, the judgment would become inapplicable. There is clear distinction between the provisions of Recruitment Rules of promotional post of Assistant Engineer in *Puneet Shama* (supra) and promotional post of Sectional Engineer in the present case. Therefore, the judgment in *Puneet Sharma* (supra) would not apply to the present case. In this connection, Mr. Apte has rightly relied upon the judgment in *Nair Service Society* (supra) in which it is held in paragraphs 48 and 56 as under;

48. Several decisions have been cited before us by the respondents, but it is well established that judgments in service jurisprudence should be understood with reference to the particular service rules in the State governing that field. Reservation provisions are enabling provisions, and different State Government can have different methods of reservation. There is no challenge to the Rules, and what is challenged is in the matter of application alone. In our opinion the communal rotation has to be applied taking 20 vacancies as a

block.

56. Different State Governments in the country may have different methods for providing reservations, and these will be valid as long as the method adopted by a particular State Government does not violate any constitutional provision or statute. It is not for this Court to decide on the wisdom or otherwise of the said method of reservation. This Court should exercise judicial restraint and not interfere with the same unless there is some clear illegality. In our opinion the method prescribed by the Rules made by the State Government suffers from no infirmity or illegality, and hence the High Court acted wrongly in allowing the writ petition.

13. The judgment in *Puneet Shama* (supra) has also been considered by the Apex Court in its judgment in *Qazi Gousia Jeelani* (supra) in which it is held in paragraphs 19, 20 21, 22 as under;

19. Similar argument based on the judgment of Puneet Sharma's case (supra) as is raised before us by Mr. Jan, learned Senior Counsel was also dealt with in para (19) of the judgment (supra) which reads thus:

"19. A careful analysis of the facts in Puneet Sharma's case (supra) reveals that though as per original rules, the prescribed qualification was diploma in the relevant discipline, yet a clarification was issued later on declaring that the candidates with higher qualification are also entitled to apply or be considered for appointment. Besides this, as per the rules relevant to the said case, 5% of sub-quota was earmarked for those who held degrees before joining as Junior Engineers. It was in these circumstances that the Supreme Court held that rule making authority had in mind that degree holders too could compete for the posts of Junior Engineers. In the instant case neither there is any specific rule which makes the degree holders eligible nor is there any clarification issued by the Government in this regard. Further there is no such material on record from which it can be inferred that degree holders are eligible for the advertised posts. Therefore, the ratio laid down by the Supreme Court in Puneet Sharma's case (supra) does not apply to the facts of the instant case".

20. We entirely agree with the view taken by the Division Bench in

Aijaz Ahmad Ahanger's case (*supra*). It needs to be noticed that in the said case, Jammu and Kashmir Para-Medical Council had issued clarification to the extent that the Degree in the relevant discipline could be considered for the post for which prescribed qualification was Diploma on the ground that Degree was a higher qualification in the relevant discipline. The Board had not agreed with the said clarification and went ahead with the selection process ignoring the candidates possessing Degree in the relevant field. The Division Bench, as noted above, approved the decision of the Board.

21. Without dilating much on the issue, suffice it to say that it is trite law that, a person, to be eligible for a post, must possess the qualification prescribed for the post and it is not within the province of the Courts of law to read the higher qualification into the qualification prescribed in the rules or the advertisement as essential qualification.

22. In the instant case, the qualification prescribed in the Advertisement Notice for the post of Workshop Assistant is not the minimum qualification, but is essential qualification. That means a person, seeking to be appointed as Workshop Assistant must essentially possess the qualification prescribed. Indisputably, the appellant does not possess that qualification. The writ Court was, thus, absolutely correct in holding the appellant ineligible for the post in question and consequently, quashing his selection and appointment. The view taken by the Writ Court is, thus, unexceptionable and cannot be interfered with.

14. Now, let us proceed to examine whether even an inference can be drawn to the effect that Junior Engineers can be recruited from amongst degree holders. As observed above, such an inference is sought to be drawn on the basis of Rule 3(a) of Recruitment Rules of Sectional Engineers. However, Mr. Apte has successfully demonstrated that there was a

provision in the past for recruitment of degree holders as Junior Engineer. Firstly, Government Resolution dated December 19, 1970, seems to indicate that individuals holding degree in Civil Engineering could be recruited in Maharashtra Engineering Services. Secondly, Government Resolution dated April 16, 1984 would again indicate that the State Government used to recruit candidates with degree in Civil Engineering as Junior Engineers in the past. The Government Resolution indicates that a decision was taken in the year 1981 to confer the status of Gazetted officer on Junior Engineer holding degree in Civil Engineering. On account of demands made by non-degree holders, Government Resolution dated April 16, 1984 was issued conferring Gazetted status on 3 years diploma holders on completion of 5 years of service, 2 years of degree holders on completion of 7 years of service and non-holder of diplomas after completion of 10 years of service. Thus, while degree holder Junior Engineer were treated as Gazetted Officers from the dates of their appointments, the diploma holders and non-diploma holders were conferred such status in a staggered manner on completion of requisite years of service. Thus Government Resolution dated April 16, 1984, is yet another provision demonstrating that the State Government

used to recruit the degree holders as Junior Engineer in the past.

15. Thus, it can not be contended that the provisions of Rule 3(a) of the Recruitment Rules of Sectional Engineer would be rendered redundant if degree holders are held ineligible for being appointed as Junior Engineer. In fact, Rule 3(a) is included to cover cases of such Junior Engineers who were recruited in the past with qualification of degree in Civil Engineering. Therefore, reliance of Ms. Karnik on the Recruitment Rules of Sectional Engineers as well as on judgment of Apex Court in *Puneet Sharma* (supra) is misplaced and no inference can be drawn to the effect that the degree holders can be included in the eligibility criteria for direct recruitment on the post of Junior Engineer.

16. In this regard, reliance of Mr. Apte on judgment in *Sangram Ramdas Gholve* (supra) is apposite. In that case, this Court was concerned with the issue of reserving 75% post of Junior Engineer for diploma holders only. This Court was pleased to uphold the Recruitment Rules making degree holders ineligible for appointment against such 75% post of

Junior Engineer. The Special Leave Petition filed challenging the judgment of this Court has been dismissed by the Supreme Court vide its Order dated September 2, 2016. Though, the issue involved in the present case is not about challenge to the Recruitment Rules, the principles enunciated by this Court in ***Sangram Ramdas Gholve*** (supra) about excluding degree holders for appointment of post of Junior Engineers are fully attracted in the present case.

17. Before the Tribunal, Petitioners did not challenge the provisions of Recruitment Rules 1998 for Junior Engineers which excluded degree holders from eligibility criteria. As reiterated in catena of judgments, this Court would not be in a position to read something which is missing in the Recruitment Rules. Merely because degree in Civil Engineering might a higher qualification than a diploma, this Court would not be in a position to interpret the provisions of Recruitment Rules and direct the State Government to consider candidates who are not eligible as per the Recruitment Rules. In this connection, the reliance of Mr. Apte on judgment of Apex Court in ***Zahoor Ahmed and ors*** (supra) is apt, in which it is held in paragraphs 26, 27, 28 as under;

26. We are in respectful agreement with the interpretation which has been placed on the judgment in Jyoti KK in the subsequent decision in Anita (supra). The decision in Jyoti KK turned on the provisions of Rule 10(a)(ii). **Absent such a rule, it would not be permissible to draw an inference that a higher qualification necessarily pre-supposes the acquisition of another, albeit lower, qualification. The prescription of qualifications for a post is a matter of recruitment policy. The state as the employer is entitled to prescribe the qualifications as a condition of eligibility. It is no part of the role or function of judicial review to expand upon the ambit of the prescribed qualifications. Similarly, equivalence of a qualification is not a matter which can be determined in exercise of the power of judicial review. Whether a particular qualification should or should not be regarded as equivalent is a matter for the state, as the recruiting authority, to determine.** The decision in Jyoti KK turned on a specific statutory rule under which the holding of a higher qualification could presuppose the acquisition of a lower qualification. The absence of such a rule in the present case makes a crucial difference to the ultimate outcome. In this view of the matter, the Division Bench of the High Court was justified in reversing the judgment of the learned Single Judge and in coming to the conclusion that the appellants did not meet the prescribed qualifications. We find no error in the decision of the Division Bench.

27. While prescribing the qualifications for a post, the State, as employer, may legitimately bear in mind several features including the nature of the job, the aptitudes requisite for the efficient discharge of duties, the functionality of a qualification and the content of the course of studies which leads up to the acquisition of a qualification. **The state is entrusted with the authority to assess the needs of its public services. Exigencies of administration, it is trite law, fall within the domain of administrative decision making. The state as a public employer may well take into account social perspectives that require the creation of job opportunities across the societal structure.** All these are essentially matters of policy. Judicial review must tread warily. That is why the decision in Jyoti KK must be understood in the context of a specific statutory rule under which the holding of a higher qualification which presupposes the acquisition of a lower qualification was considered to be sufficient for the post. It was in the context of specific rule that the decision in Jyoti KK turned.

28. Ms Wadia sought to draw sustenance from the fact that the holder of an ITI certification can obtain lateral entry to the diploma course. The point of the matter, however, is that none of

the appellants fit the description of candidates who had secured an ITI certification before seeking a lateral entry to a diploma course. Plainly, when an ITI with matric is required, a person who does not hold that qualification is not eligible.

(emphasis supplied)

18. Thus in ***Zahoor Ahmed and ors*** (supra), the Apex Court rejected contention that Diploma is higher qualification than the required qualification of ITI. We are therefore unable to hold that degree in civil engineering is a higher qualification than diploma in the context of requirement under the recruitment rules. Reliance of Ms. Karnik on GR dated December 2, 2017 would be therefore of little assistance. Government Resolution dated September 9, 2021 merely prescribes the Model Recruitment Rules, which will have no application in the light of existence of statutory recruitment rules.

19. In the result, we do not find any error being committed by the Tribunal in dismissing Original Application filed by Petitioners. The Petition is devoid of merits. It is dismissed without any order as to costs.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)

20. At this stage, Ms. Karnik the learned counsel for Petitioners seeks continuation of interim order. Mr. Apte, the learned counsel for Respondents opposes the said request.

21. Considering the fact that the interim order was in operation, the same is continued for a period of two weeks from today.

22. Needless to state that on lapse of two weeks, the interim relief granted shall come to an end.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)