

**IN THE HIGH COURT OF BOMBAY AT GOA**

**WRIT PETITION NO. 690 OF 2014**

SHRI PRADEEP BABAL SALGAONKAR. ... Petitioner  
Versus  
GOA UNIVERSITY THR. ITS REGISTRAR. ... Respondent

Shri Gajendra Usgaonkar, Advocate for the Petitioner.  
Ms. A. Agni, Advocate for the Respondent.

Coram:- R. M. BORDE &  
F. M. REIS, JJ.

Date:- 2nd December, 2014

P.C.:

Affidavit-in-rejoinder filed by the petitioner is taken on record.

2. The petitioner had participated in the process of selection for appointment of post of 'Professor' in Department of Management Studies. In the present petition, the petitioner is seeking a writ of mandamus directing the respondent to appoint him to the post of 'Professor' earmarked for OBC category.

3. It is not a matter of dispute that petitioner had participated in the process of selection and one candidate originally belonging to Tamil Nadu State and claiming himself to be a member of other backward class came to be selected and the order of appointment was also issued in favour of the said candidate.

4. The petitioner contends that the whole process adopted by the respondent for selection of the candidates was erroneous and defeating the rights of reserved category candidate. It is also not a matter of dispute that the order of appointment issued in favour of ineligible candidate hailing from Tamil Nadu has been withdrawn by the University and that the post of Professor from OBC category is still kept open. The University proposes to pursue the fresh selection process for making appointment to the post of Professor. Petitioner has mere right of consideration for appointment and does not have entitlement to seek direction to respondent to issue order of appointment in his favour.

5. In the instant matter, according to respondent-University, the petitioner's claim was considered for the post, but however, has not been selected.

6. The petitioner himself claims that the whole process of selection adopted by the University was erroneous. It cannot be controverted that the selection process initiated by the University has come to an end with the selection and appointment of candidate from Tamil Nadu. After noticing that appointed candidate is ineligible, error has been rectified by the University at a later stage. Petitioner having participated in selection process and failed to get selected for the post cannot be permitted to question process of selection and also cannot seek any relief. It would be open for the petitioner to participate in

fresh selection process, that would be initiated by University.

7. For the reasons recorded above, the Writ Petition does not deserve any consideration and same stands rejected.

F. M. REIS, J.

R. M. BORDE, J.

NH