

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

Civil Application No. 47 OF 2017

IN

Public Interest Litigation NO. 149 OF 2014

State Of Maharashtra And Ors.

...Petitioners

*Versus*The Indian Constitutionalist Council Through
Its Secretary

...Respondents

*Mr.Pradeep Sancheti, Senior Advocate i/b. Mr.Ashish Mehta, for the
Petitioner in WP No.3151 of 2014.**Mr.Mihir Desai, Senior Advocate with Mr.Ushajee Peri, for the
Petitioner in WP No.4255 of 2017.**Mr.V.N.Thorat i/b. Mr.PV.Thorat, for the Petitioners in WP(st)
No.5576 of 2017.**Mr.Tauseef Sayyed and Mr.Momin Musaddique Nachan for the
Petitioner in WP no.937 of 2017.**Mr.S.B.Talekar, for the Petitioner in WP No.11368 of 2016.**Mr.J.G.Reddy, for the Petitioners in PIL 48/2015 and 201/2014, PIL
48/14, WP(St) 10755/2017.**Mr.Aspi Chinoy, Senior Advocate i/b. Mr.Hemant Ingle for the
Applicant in CHSL no.71 of 2017.**Mr.Vijaysinh Thorat, Senior Advocate with Mr.Ravi Kadam, Senior
Advocate, Mr.A.B.Vagyani, Government Pleader, Mr.PG.Sawant, AGP
and Ms.Prachi Tatake, AGP for the State and for the Applicant in*

Civil application no.47/17.

Mr.Amit Karande i/b. Mr.Ashish Pawar, for the Intervenor/applicant in CHS No.225 of 2016.

Mr.Vijay Killedar for the applicant in C.A.No.113/16.

Mr.Sagar Divekar with Ms.Aparna Suresh for the applicants in CHS no.32 of 2017.

Ms.Rachana Chavan, for the Petitioner in PIL 140/14.

Mr.Pankaj Sawant, Senior Advocate i/b. Mr.Hemant Ingale for the Applicant in CA 110/14.

Mr.Sangharaj Rupwate with Mr.Miling Ingole, Manoj Jadhav, for the Petitioner in PIL 126/09.

Mr.S.B.Talekar i/b. Talekar & Associates for the Petitioner in 11368/16.

Mr.Parag Vyas, for Union of India in PIL 216.

CORAM : **DR. MANJULA CHELLUR, C. J., & G.S.KULKARNI, J.**

DATE : **MAY 4, 2017**

P. C.

1. Heard learned Counsel for the parties. We have gone through the directions dated 7.4.2015 wherein following interim order was made:-

“19. In the result, the following interim order is passed:-

(a) Till the hearing and final disposal of these petitions, there shall be interim stay of operation and implementation of the provisions of Maharashtra Act No.1

of 2015 providing for 16% reservation in favour of Marathas.

(b) In any advertisement for appointment to any post in public services, the State Government shall not provide for any reservation for Marathas on the basis of the provisions of the Maharashtra Act No.1 of 2015.

(c) The appointments to 16% posts reserved for Marathas under the above legislation in the advertisements already issued shall be made from amongst the open merit candidates on a temporary and ad-hoc basis for a period of 11 months or till final disposal of these petitions, whichever is earlier and the appointments shall be made subject to the outcome of the petitions.

(d) As far as admissions to educational institutions are concerned, the State Government shall not grant any admission to the educational institutions on the basis of the Maharashtra Act No.1 of 2015.”

2. So far as directions at (a) and (b) are concerned, there is no need to modify the same.

3. Then coming to direction (c), since final disposal of these petitions has not occurred and 11 months time is also completed, in the fitness of the things and in the interest of justice, the appointments which were already in existence as on the date of the interim order, will continue for another six months from today.

4. Accordingly, the Civil Application is disposed of.

(G.S.KULKARNI, J.)

(CHIEF JUSTICE)