

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12319 OF 2019**

Akhtar Hashim Shaikh and Ors.	...	Petitioners
versus		
State of Maharashtra and Ors.	...	Respondents

Mr. Sandeep Dere, for Petitioners.
Mr. Manish Pable, AGP, for State.

**CORAM: S.J. KATHAWALLA &
SURENDRA P. TAVADE, JJ.
(VACATION COURT THROUGH VIDEO
CONFERENCING)**

DATE: 21st MAY, 2021

P.C.:

1. It is submitted on behalf of the Petitioners that they appeared in the Limited Departmental Competitive Examination ('LDCE') of 2011 for the post of Police Sub Inspectors, but could not be selected since the reservation in promotions was made applicable; this Court by its Judgment dated 4th August, 2017 in Civil Writ Petition No.2797 of 2015 struck down the reservation in promotions and issued directions to take necessary steps by way of corrective measures in respect of promotions already granted. The Respondent No.1 has already implemented the said Judgment passed by this Court in respect of the candidates who appeared in the LDCE held in the year 2016, i.e. with respect to those who are junior to the Petitioners, but not with regard to the Petitioners who appeared in the LDCE held in 2011. One of the candidates had

filed Writ Petition (St) No.97384 of 2021 before this Court, and by an Order dated 22nd April, 2021, this Court had directed the Respondent to include the petitioner therein, to undergo training for the post of Police Sub Inspector which was to commence from 26-04-2021, (and which is now scheduled to commence from 21st June, 2021), being Batch No.119.

2. The Learned Advocate for the Petitioners states that the Petitioners are similarly placed and are at par with the Petitioner in Writ Petition (ST) No.97384 of 2021. Therefore, the Petitioners be included in the training session for the post of Police Sub Inspector in Batch No.119.

3. The above Writ Petition was before us on 19th May, 2021 when the Learned AGP sought time on the ground that he has to confirm whether the Petitioners are similarly placed with the Petitioner in Writ Petition (ST) No.97384 of 2021. Today, the Learned AGP once again seeks time on the same ground. We are not inclined to accede to his request and proceed to pass the following Order :

(i) Respondent No.1 shall within a period of one week from today ascertain whether the Petitioners are similarly placed with the Petitioner in Writ Petition (ST) No.97384 of 2021, and if they are found to be similarly placed, they shall be included in the training session for the post of Police Sub Inspector in Batch No.119, which training is scheduled to commence on and from 21st June, 2021. It is clarified that all rights and contentions of the parties are kept open, in case they are required to be

addressed at the time of hearing of the above Writ Petition.

4. Stand over to 14th June, 2021. To be placed along with Writ Petition (ST)
No.97384 of 2021.

(SURENDRA P. TAVADE, J.)

(S.J.KATHAWALLA, J.)