

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

WRIT PETITION NO. 2140 OF 2021

Dr. Jagannath Laxman Sawant & Ors. ...Petitioners

Versus

State of Maharashtra & Ors. ...Respondents

Mr. Rakesh Bhatkar a/w Mohan Devkule, Adv. Simta Samel,
Advocate for the Petitioners.

Mr. Abhijeet Naik, AGP for the Respondent Nos. 1 to 4 & 6.

Mr. Rajaram Bansode a/w Ms. Sheetal Ubale, Advocate for
Respondent No.5.

Ms. Vishwali Botle i/by Mr. A.R. Gole for Respondent No.8.

**CORAM : RAVINDRA V. GHUGE
&
M.M. SATHAYE, JJ.**

DATE :- 7th OCTOBER, 2024

PER COURT :-

1. This Petition is filed by a group of Doctors whose services were not utilized in the COVID-19 Care Centres on account of the directions issued by the Assistant Director (Non-Technical), National Health Mission, Mumbai. It was ordered that these Doctors would not be associated with the COVID-19 Care Centres, since they have acquired their degrees of BHMS (Bachelor of

Homeopathic Medicine and Surgery).

2. There is no dispute that the COVID pandemic is over and the COVID-19 Care Centres are no longer functioning. The learned Advocate for the Petitioners submits that in future if any posts are advertised and if there is an exclusion of the BHMS Doctors, it would be prejudicial to their interest.

3. In view of the above fact, **this Writ Petition is disposed off, as being infructuous.**

4. In the event, any of these Petitioners or similarly situated BHMS Doctors, face discrimination on account of any recruitment process from which they are excluded, only due to their qualifications, they would be at liberty to challenge such action in an appropriate proceeding.

(M.M. SATHAYE, J.)

(RAVINDRA V. GHUGE, J.)