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

WRIT PETITION NO. 7881 OF 2024

Prerna Ramchandra Kalunkhe ...Petitioner
Versus
Union Of India Thr. Its Secretary Ministry Of
Consumer Affairs Food. And Ors ...Respondents

Mr. Gurudas Gorwadkar for the Petitioner.
Mr. Ashish Mehta i/b. Ethos Legal Alliance for the Respondent No. 1
Mr. V. G. Badgujar, AGP for the Respondent No. 2

**CORAM : M. M. SATHAYE &
SOMASEKHAR SUNDARESAN, JJ.**

**DATED : 31 MAY 2024
(Vacation Court)**

PC.:

1. Heard learned Counsel for the Petitioner, learned Counsel for the Union of India and learned AGP for Respondent No. 2 / State.
2. The Petitioner is admittedly working as Member, District Consumer Dispute Redressal Commission, Nashik as on today. The issue involved in the Petition is that the Petitioner has applied for 3rd extension of her term as a Member of the said Commission. It is common ground before us that the issue as to whether such 3rd extension can be granted or not, is pending before the Hon'ble Supreme Court.
3. We are informed that the Hon'ble Supreme Court on 21.05.2024 has

passed the following order:

“1. The only way to resolve this highly contested dispute is hold a final hearing and decide all issues finally.

2. For the purpose, post these matters for final hearing on 27.05.2024.

3. In the meanwhile, as an interim measure, those of the applicants who are still in service, shall be continued till further orders.”

4. Learned AGP appearing for the Respondent-State submits that the State cannot grant 3rd extension.

5. Learned Counsel for the Petitioner relies upon the order dated 27.05.2024 passed in Writ Petition No. 5019 of 2024 and Writ Petition No. 5006 of 2004 passed by learned Single Judge of this Court at Aurangabad Bench, in which, in identical situation, an order is passed granting a peculiar interim relief. Learned counsel for the Petitioner urges that same interim order be passed. We find the request reasonable.

6. Considering the fact that Hon’ble Supreme Court is considering this contentious issue, it is appropriate to protect the services of the Petitioner and hence, the following order:

(a) Issue notice to the Respondents, returnable on **01/07/2024**.

(b) Learned Counsel for Respondents waive service.

(c) Till the next date, the Petitioner shall be continued in the

services, but on a condition that she will not claim any equity in future.

(d) Reply affidavits, if any to be filed on or before 24.06.2024. Affidavit in rejoinder, if any, to be filed on or before the next date. Copies to be served on other side.

7. All concerned to act on authenticated or digitally signed copy of this order.

(SOMASEKHAR SUNDARESAN, J.)

(M. M. SATHAYE, J.)