



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.4753 OF 2024

Dr Rushikesh Ashok Nikam, Buldhana and ors.

-VS-

The State of Maharashtra, Thr. Secretary, Public Health Dept. Mantralaya, Mumbai and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri Vivek Rathod, Advocate for petitioners.

Shri S. M. Ghodeswar, Assistant Government Pleader for respondent Nos.1 to 3.

CORAM : NTIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE : August 19, 2024

1. Heard Shri V. Rathod, learned counsel appearing for the petitioners.
2. The issue sought to be canvassed in the petition pertains to infringement of constitutional right of the petitioners conferred under Article 19 of the Constitution of India as it is claimed that the petitioners being Medical Officers are entitled to practice their profession in addition to Government service.
3. The learned counsel would claim that the issue is under consideration in Writ Petition Nos.2567/2023, 534/2023, 535/2023 pending before Nagpur Bench, Writ Petition Nos.11584/2019, 11674/2019 with other writ petitions and Writ Petition No.6443/2023, pending before Aurangabad Bench, Writ Petition Nos.9069/2022, 9248/2022 and Writ Petition St. No.3448/2020 pending before Principal Seat.
4. According to Shri Rathod, learned counsel Clauses 4.1, 4.3, 4.4, 4.5 and 4.7 of the Government Resolution dated 07/08/2012 are stayed

by the Courts in the aforesaid writ petitions.

5. As such he is seeking ad interim relief in the present petition.

6. That being so, **Rule.**

7. Shri S. M. Ghodeswar, learned Assistant Government Pleader waives notice of hearing for respondent Nos.1 to 3.

8. In the meanwhile, clauses 4.1, 4.3, 4.4, 4.5 and 4.7 of Government Resolution dated 07/08/2012 shall remain stayed insofar as it affect the present petitioners until further orders.

9. We direct registry of this Court to place copy of this order before the Honourable Chief Justice so as to club all these writ petitions raising similar issue before any one of the Benches so as to save judicial time for adjudicating the same.

10. To be heard along with Writ Petition Nos.534/2023, 535/2023 and 2567/2023.

(Abhay J. Mantri, J.)

(Nitin W. Sambre, J.)