



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 7306 OF 2025
IN WP/3319/2025

SONAJI SHRIDHAR GAIKWAD

VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

...

Ms. M. K. Singh h/f Shaikh Harun Pasha, Advocate for Applicant
Mr. D. B. Gaikwad, for Union of India.

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CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.

DATE : 25.08.2025

PER COURT :

1. By this application, the applicant/petitioner seeks recall of the order dated 26.03.2025, passed by this Court. The said order reads as follows :

“ The learned advocate for the petitioner, on instructions, seeks leave to withdraw the writ petition with liberty to file it at the Nagpur Bench.

2. Leave is granted.

3. The writ petition is disposed of as withdrawn with liberty as prayed for.”

2. A perusal of the above quoted order clearly shows that it was on a statement made on behalf of the petitioner himself that the writ petition stood withdrawn, with liberty to approach the Nagpur Bench

of this High Court.

3. The learned counsel for the applicant submits that due to inadvertence the aforesaid statement was made on behalf of the petitioner and specific reliance is placed on clause 18 of the advertisement notice in response to which the petitioner had applied for recruitment to the post of Constable with the Central Reserve Police Force. It is submitted that a proper interpretation of the said clause would show that since the petitioner had appeared for the computer based test at Nanded, within the jurisdiction of this Bench of the High Court, the writ petition was clearly maintainable here and that it need not have been withdrawn for approaching the Nagpur Bench of this High Court.

4. We find that the entire grievance of the petitioner is with regard to the manner in which he has been held to be medically unfit in medical examination that took place at Nagpur. Even the review of medical examination took place at Nagpur and therefore, there would be a question arising in the petition with regard to the jurisdiction of this Bench of the High Court.

5. Nonetheless, since the above quoted order was passed on a statement made on behalf of the petitioner, even if the said issue needs debate and discussion, the writ petition can be restored, so that notice can be issued to the respondents on the grounds raised in the

petition, as also on the question of jurisdiction of this Bench of the High Court.

6. In view of the above, the application is allowed. The order dated 26.03.2025 is recalled and the writ petition is restored.

7. Heard learned counsel for the petitioner in the Writ Petition.

8. Issue notice, returnable on **15th September 2025**.

9. Mr. Gaikwad, learned counsel waives notice on behalf of all the respondents.

10. It is made clear that the question of jurisdiction of this Bench is kept open.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)