



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

13 WRIT PETITION NO. 12722 OF 2023

MAHESH NILKANTH DHAKE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

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Mr. S. T. Veer, Advocate for the Petitioners

Ms Neha B. Kamble, AGP for Respondent Nos. 1 to 8

Mr. Swapnil Joshi a/w Mr. Ojas Deshpande i/b J. P. Legal
Associates for Respondent Nos.4, 13, 15, 16, 17, 19 and 20

Mr. S. S. Deve, Standing Counsel for the Union of India

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

DATE : 11.08.2025

PER COURT :-

1. Heard the learned counsel for the Petitioners and the
learned counsel for the Respondents.

2. Similarly situated Petitioner was before this Court by
filing *Writ Petition No. 12720 of 2023 (Megha Vijay Garud Vs.
The State of Maharashtra and others)*. By an order dated
13.06.2025, this Court disposed of the said Writ Petition in the
following terms:-

“1. The only relief claimed in the Petition is about re-appointment. The said issue is dealt in detail by the Hon’ble the Supreme Court in case of Ganeshkumar Rajeshwarrao Selukar and Ors vs. Mahendra Bhaskar Limaye and Others, Civil Appeal No. 9982/2024.

2. In view of above, we direct the Selection Committee to consider the claim of the Petitioner in the light of the relevant rules governing the selection process. We further make it clear that the Authority shall be sensitive to observations rendered by the Hon’ble Supreme Court, more particularly, in paragraph 97 of the said judgment.

3. With this, Petition stands disposed of in above terms. Pending civil applications stand disposed of.”

3. There is no serious dispute about fact of the Petitioners herein are identically situated like the Petitioner in the above referred Petition. Therefore, we are inclined to dispose of this Petition by issuing similar directions as given herein above in Writ Petition No.12720 of 2023.

4. Accordingly, the Selection Committee is directed to consider the claim of the Petitioners herein, in the light of relevant Rules governing in the selection process. It is further made clear that the Authorities shall be sensitive to the observations rendered by the Hon’ble Supreme Court in the above referred judgment, particularly in paragraph 97 thereof.

5. As regards Petitioner No.2, the learned counsel for the Petitioners tried to impress upon this Court that even in the round of fresh selection, she has been shown as qualified and her rank is shown as 134.

6. The record shows that a select list of 112 candidates has been already issued by the concerned authorities on the basis of the fresh process of selection. In that backdrop, we are unable to give any specific direction in favour of Petitioner No.2, as there is nothing to indicate that a waiting list has been maintained by the concerned authorities while conducting the fresh selection process.

7. The Writ Petition is disposed of. Pending applications, if any, also stand disposed of.

[Y. G. KHOBRADE, J.]

[MANISH PITALE, J.]

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