



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO.6609 OF 2025
IN
WRIT PETITION NO.11968 OF 2024**

Anjali Chanveer Birajdar and ors. ..Applicants

Vs.

The State of Maharashtra
and ..Respondents

Mr.R.N.Dhorde, Senior Advocate a/w. Mr.P.S.Dighe i/b. Mr.Vikram Dhorde, Advocate for applicants

Ms.P.J.Bharad, AGP for respondent nos.1 to 3

Mr.N.P.Patil-Jamalpurkar, Advocate for respondent no.5

Mr.VV.Deshmukh, Advocate for respondent no.6

Mr.Abhijit Choudhary, Advocate for respondent no.7

Mr.C.V.Dharurkar, Advocate for respondent no.8

**CORAM : R.G.AVACHAT AND
NEERAJ P. DHOTE, JJ.
DATE : JULY 02, 2025**

ORDER :-

This is an application made by the applicants/petitioners for the following reliefs:-

“A) Allow the present Civil Application thereby restraining the respondent nos.5 to 7 from proceeding to fill in the posts of Assistant Professors on which the applicants were working in pursuant to the advertisement published on WhatsApp on 29.06.2025 in newspaper “Viveksindhu” pending hearing and final disposal of the present Writ Petition and for that purpose issue necessary orders.

(B) Direct respondent nos.5 to 7 to keep the posts of applicant nos.1 to 6 vacant during pendency of the present Writ Petition and for that purpose issue necessary orders.

2. It is submitted by learned senior counsel for the applicants/petitioners that the applicants/petitioners challenged their oral termination from service, which they were rendering with respondent no.6 - College. He submits that this Court issued notice to the respondents in the Writ Petition on 24.10.2024. The respondent - Management issued an advertisement to fill up the posts in their college and the Walk-In-Interview is scheduled today (i.e. 02.07.2025). He submits that if the said recruitment is allowed to be continued and the posts are filled up, the very purpose of the Writ Petition would get frustrated and it will create multiple complications. He submits that the advertisement issued by the respondent - Management may be stayed.

3. The application is vehemently opposed by learned counsel for respondent no.6. He submits that the appointment of the petitioners was on adhoc basis and if at all the petitioners would succeed in the petition, they would be getting all their benefits. Learned counsel for respondent no.6 tenders across the bar a copy of the chart showing the branch/department in which the petitioners

were working. He submits that the posts which the Management is going to fill up, were never held by petitioner nos.1 to 6 and therefore, there is no question of staying the advertisement. He submits that the main Writ Petition may be heard finally.

4. Mr.Jamalpurkar, learned counsel, causes appearance, today, in the Writ Petition for respondent no.5 - Management. He submits that there was a dispute in the Management. The applicants/petitioners might have served the earlier Management, which is no more in the office. He seeks some time to file reply. He submits that no interim order be passed.

5. In the petition, the petitioners challenged their oral termination from the service of respondent no.6 - College. On perusal of the Chart (Exh.G) annexed at page no.202 to the petition, it is seen that petitioner nos.1 to 6 were appointed in the years 1998, 1996, 1999, 2004, 1998 and 2018, respectively. It also shows that approval was granted to the services of petitioner nos.1 to 4 by the the competent authority. This Court had issued notice to the respondents in the petition on 24.10.2024. However, till date, no reply affidavit has been filed by any of the respondents. There is no dispute that the Management has issued an advertisement to fill up the following posts and interviews are kept today:-

Department	Qualification	No. of vacancies	Designation
Computer Science and Engg.	M.Tech (CSE/IT/CS)	08	Assistant Professor
Electronics & Computer Engg.	M. Tech (CSE/IT/CS)	03	
Electrical Engg.	M. Tech. (EE/E&P)	04	
Civil Engg.	M. Tech. (Civil)	02	
Applied Science (Mathematics)	M.Sc. (Mathematics)	02	
Humanities (Communication skills)	M.A. (English)	02	

6. Though the note below the advertisement indicates that the appointments would be purely on adhoc basis, same would create complications if the Management is allowed to proceed with the same. Considering the contention of the petitioners that they were working in the respective stream and that, the academic session would commence from the mid of August and the advertisement is being issued, we are inclined to grant ad-interim relief in the following terms :-

(i) The respondent - Management shall go on with the said advertisement; but shall keep vacant two (2) posts each from the branch of Electronics and Computer Engineering, Electrical Engineering and Civil Engineering, until further orders.

- (ii) List the petition for final hearing on 28.07.2025; high on board.
- (iii) The respondents shall file reply affidavit on or before 28.07.2025.

[NEERAJ P. DHOTE, J.]

[R.G. AVACHAT, J.]

KBP