

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR**

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12807 OF 2025

Digambar Pandurang Jadhav	]	Petitioner
versus		
The State of Maharashtra and others	]	Respondents

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Mr. Abhishek B. Patil i/b Mr. Gajanan Savagave, for Petitioner.

Ms. S.N. Deshmukh, A.G.P, for Respondent – State.

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**CORAM : M.S. KARNIK &
AJIT B. KADETHANKAR, JJ.**

DATE : 16th DECEMBER, 2025.

ORAL ORDER: [PER M.S. KARNIK, J.]:

1. We have heard learned Counsel for the petitioner and the learned A.G.P.

2. Learned A.G.P requested for some time to take instructions and file affidavit-in-reply. Learned A.G.P further raised an objection that the petitioner will have to approach the Maharashtra Administrative Tribunal in the first instance for seeking appropriate reliefs.

3. Learned Counsel for the petitioner submitted that some Police Officials have filed Writ Petition No.465 of 2019 (**Mahesh Ramchandra Farande and others Vs. The State of Maharashtra and others**) alongwith connected Writ Petition in this Court challenging the order passed by the Maharashtra Administrative Tribunal. By an order dated 28th June, 2016, this Court disposed of the Writ Petitions by passing the following order, operative part of which reads thus;

“(A) Rule is made partly absolute in both these petitions;

(B) The order dated 24 August 2001 in OA No. 496 of 2001 and connected matters is not approved but at the same time, the same is not set aside in view of the facts and circumstances discussed in the course of the order.

(C) The order dated 28 August 2001 made by MAT in review petition no. 45 of 2001 is hereby quashed and set aside. However, monetary benefits which may have been derived by the candidates, on basis of such order, shall not be recovered by the State;

(D) All the candidates who were declared to have passed the written examination on the basis of grace marks and who have secured promotion to the post of PSI on such basis, shall be placed in the seniority list, below the candidates who had passed the written examination on regular basis without benefit of any grace marks i.e. 601 + 284 candidates. As a consequence, DGP's order dated 15 November 2006 is directed to be modified accordingly.

(E) The 601 candidates who were promoted on regular basis will rank senior to 284 candidates who were initially appointed on ad hoc basis but regularised thereafter. Suitable modifications in this regard are

therefore directed in DGP's order dated 15 November 2006 as well.

(F) The DGP is directed to prepare fresh seniority list in accordance with the aforesaid directions within a period of twelve weeks. Till then, the existing arrangements to continue.

(G) Both the writ petitions i.e. writ petition nos. 465 of 2009 and 7313 of 2013 are disposed of in the aforesaid terms. In view of such disposal, all civil applications filed therein, do not survive and the same are also disposed of.

(H) All concerned to act on basis of authenticated copy of this order”.

4. The petitioner accordingly made a representation dated 9th February, 2022. The petitioner retired as Assistant Police Inspector on 31st August, 2014. However, it is submitted that the order passed by this Court has not so far been implemented. It is submitted that if the order is implemented, the petitioner will be entitled to the benefit of a deemed date of appointment in the post of Assistant Police Inspector. Representations were made by the petitioner on 9th February, 2022, 14th March, 2024 and 2nd May, 2025 to the Director General of Police, Maharashtra State, Mumbai. The petitioner seeks effective implementation of the directions of this Court. Needless to mention that the respondents are bound to comply with the directions issued by this Court vide order dated 28th June, 2016 in case of **Mahesh Vs. State of Maharashtra** (supra).

5. In this view of the matter, we request respondent No.2 – The Director General and Inspector General of Police to look into the representations of the petitioner and take appropriate steps for complying with the directions issued by this Court. Since the petitioner has retired, we request DGP to look into the matter and inform petitioner the outcome, as early as possible and, preferably within a period of sixteen weeks, from the date of communication of this order.

6. The petition is disposed of in the aforesaid terms.

[AJIT B. KADETHANKAR, J.]

[M.S. KARNIK, J.]