

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.205 OF 2025**

Samarth s/o. Narayan KassaPetitioner

Versus

The State of Maharashtra and Ors.Respondents

Ms. Sakshi Thombre i/b. Mr. Siddheshwar Thombre for the
Petitioner.

Mr. Vikas M. Mali, AGP for Respondent No.1.

Mr. R.S. Alange for Respondent Nos.2 and 4.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 13th FEBRUARY, 2025

P.C. :-

1. **Issue notice to the Respondents.** The learned AGP waives service of notice on behalf of Respondent No.1. Mr. Alange, the learned Advocate also waives service of notice on behalf of Respondent Nos.2 and 4.

2. Let the affidavits in reply be filed, at least, one week prior to the returnable date.

3. The Corporation desires that a candidate having a diploma in General Nursing and Midwifery (GNM) was eligible to be appointed on the post of Midwife, Class-III. So also, the

candidate must have a Maharashtra Nursing Council registration.

4. The Petitioner is at Serial No.14 on the wait list. Two candidates, viz., Mahamadyasin Tolan Bagwan, is at Serial No.32 and Pratibha Dattatrya Kandalwad, is at Serial No.33 in the same wait list. Both have been issued with appointment orders on 26th December, 2024. The learned Advocate for the Petitioner submits that there are around 50 posts and some vacancies are still available. The learned Advocate for the Corporation states that there are many appointments which have been made. However, he is not instructed to state whether there are any vacancies.

5. In view of the above, **by way of interim relief**, if there are vacancies existing today, one post shall be kept vacant in view of the pendency of this Petition, since the Petitioner has produced the certificate dated 10th October, 2017 indicating that he has passed the examination of B.SC. Nursing and Midwifery. The said certificate was valid upto 30th March, 2022 and renewal has been granted upto 30th March, 2017. Photostat copies of both these documents are taken on record and collectively marked as '**X-1**' for identification.

6. Stand over to 13th March, 2025, to be listed in the urgent category, on the supplementary board.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)