

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 252 OF 2025

Sangharsh Bhiwaji Maske. ... Petitioner.
Versus
State of Maharashtra & Ors. ... Respondents.

Mr. Akshay S. Karlekar i/b. Mr. Niranjan Mogre, for the Petitioner.
Mr. Yuvraj Narvankar, for Respondent No. 1.
Ms. P.B. Chavan, AGP for Respondent/State.

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

DATE : 14th FEBRUARY, 2025

P.C. :

1. The Petitioner participated in the recruitment process for the post of Police Constables pursuant to the advertisement dated 1/3/2024, published by Pimpri Chinchwad Police (PCMC Police). 262 posts were available for the year 2022-23. The Maharashtra Police Constable Service Rules, 2011 and the Amendments made thereafter from time to time, indicate that the recruitment of police constables is under the Commissionerate of Pimpri Chinchwad.

2. The Petitioner is at Serial No. 11 in the merit list. He

belongs to the S.C. Category. During the documents verification, it was noticed that he is being tried for an offence registered against him, in Regular Criminal Case No. 3594 of 2019, before the learned Judicial Magistrate First Class, Pune. Section 392 of the Indian Penal Code is invoked, after two accused allegedly disclosed the name of the Petitioner. He was arrested on 7th May, 2019 and the charge-sheet has been filed on 17th May, 2019. He has received regular Bail on 10th May, 2024 vide the order passed by the learned Judicial Magistrate First Class, Pune.

3. The Petitioner submits that in such cases, the case of such a Petitioner has to be immediately placed before the High Power Committee (HPC) constituted for the purpose of verification of such cases, as per Clause 5 and the Government Resolution dated 19th July, 2017. Yet, the Petitioner's case is yet to be placed before the HPC.

4. The learned AGP is instructed to state that the District Government Pleader at Pune will first give his opinion as to whether the case of the Petitioner should be placed before the HPC. On instructions, it is stated that no rule prescribes calling for the opinion from the District Government Pleader.

5. The learned Advocate for the Petitioner points out that initially 221 appointments were made. Subsequently, 30 more appointments have been made. 9 posts are still vacant. We, therefore, direct that, firstly, the case of the Petitioner shall be placed before the High Power Committee forthwith, within 5 days. So also, one post of a constable shall be kept vacant considering that there are 9 posts still vacant.

6. List this Petition for further consideration on **17th March, 2025** in the “**fresh admission**” category.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)