



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

WRIT PETITION NO. 5944 of 2025

Dr. Chandrakant s/o Prabhakar Bhoyar and
three others.

..Petitioners

Versus

State of Maharashtra, General Administration Department,
Mumbai and four others.

..Respondents

Mr. M. M. Sudame, Senior Advocate a/b Mr. Akshay Sudame, Advocate for the
petitioners.

Mr. S. M. Ukey, Additional Government Pleader for respondent nos. 1 to 4.

CORAM :- ANIL S. KILOR and RAJNISH R. VYAS, JJ.

DATE :- 7th OCTOBER, 2025

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Heard learned counsel for the parties.

2. In the present petition a challenge is raised to the order dated 26.06.2025 passed by the Maharashtra Administrative Tribunal (for short, 'the Tribunal') and further a prayer is made for grant of interim relief staying the order/selection list dated 20.06.2025 declaring the respondent no.5 as eligible by the respondent MPSC. The learned Tribunal, by the said order, dated 26.06.2025, fixed the matter for final disposal and made it clear that the appointment of the respondent no.5, if made, shall be subject to the outcome of the Original Application.

3. Mr. Sudame, learned Senior Counsel appearing for the petitioners argued that on 26.06.2025 the said order was passed; however, till date the respondent MPSC has not filed its reply and therefore, the Tribunal is not in a position to hear and decide the Original Application finally. It is submitted that though the appointment of the respondent no.5, if made, is subject to the result of the Original Application; however, considering the conduct of the MPSC, there is a likelihood that the matter will not be decided in near future and in that case, the respondent no.5 will be benefited, though he is not eligible.

4. We find substance in the submissions of the learned Senior Counsel for the petitioners and accordingly, we request learned Additional Government Pleader, Mr. Ukey, to take instructions from the respondent MPSC as to within how much time the MPSC will file a reply.

5. Mr. Ukey, learned Additional Government Pleader, has tendered a copy of communication dated 06.10.2025 received from the respondent-MPSC stating therein that within a period of two weeks, it shall file a reply to Original Application No.607 of 2025.

6. The communication dated 06.10.2025 issued by the MPSC to the Office of the Government Pleader is taken on record and accepted as a statement made by the learned Additional Government Pleader on behalf of the MPSC. The same is marked as Article 'X' for identification purpose.

7. In the circumstances, we are of the opinion that the purpose would be served, if the present writ petition is disposed of with a request to the learned Tribunal to decide Original Application No.607 of 2025 within a period of three weeks from the date of filing of reply by the respondent-MPSC.

8. Accordingly, we pass the following order:

(i) The learned Tribunal is requested to decide Original Application No. 607 of 2025 within a period of three weeks from the date of filing of the reply by the respondent-MPSC before it.

In case, if for any reason, the learned Tribunal could not be in a position to decide Original Application No.607 of 2025 within a stipulated period as fixed by this Court, the learned Tribunal shall consider the prayer of the petitioner for grant of stay.

(ii) With the above observations and directions, the writ petition stands disposed of. No costs.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)