



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

WRIT PETITION NO. 343 OF 2025

The Blind Relief Association Nagpur and others

-Vs.-

State of Maharashtra and others

WRIT PETITION NO. 8001 OF 2019

Pawan Ramkrushna Gawande and others

-Vs.-

State of Maharashtra and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's Orders.
or directions and Registrar's orders.

Mr. Adwait S.Manohar, Adv. for the petitioners-WP No.343/2025.
Mr. P.R.Agrawal, Adv.for the petitioners-WP No.8001/2019.
Mr. A.A.Madiwale, AGP for the respondents-State in both petns.
Mr. V.Rathi, Adv. h/f Mr.P.B.Patil, Adv.for the respondent No.5-WP
No.8001/2019.
Mr.Sourabh Rajurkar, Adv. h/f Mr.Anand Parchure, Adv. for the
respondent No.15-WP No.8001/2019.

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATE : 3RD APRIL, 2025

In Writ Petition No.8001/2019, the learned AGP for the respondents-State makes a statement, that the respondents-State has prepared a wait list for employees to be appointed in the specially disabled category and in fact the wait list has been operated by issuing absorption order to 43 such wait listed candidates, and as of on 27/02/2025, there was no person available in the wait list. He further, upon instructions, states that as and when persons are included in the wait list, the same would be operated by

granting them orders of adsorptions. The learned AGP to place on record the list of persons, who have been included in the wait list and directed to be absorbed.

2. In Writ Petition No.8001 of 2019, Mr.Agrawal, learned counsel for the petitioners makes a statement, that all the petitioners have been granted orders of absorptions and the petitioner Nos.1 to 4 have already joined the services at the respective institutions. The petitioner Nos.6 and 8 have applied for change of management. Insofar as the petitioner Nos.5, 7 are concerned the respondents 13 to 16, have refused to join. them. Mr.Sourabh Rajurkar, appearing for the respondent No.15, seeks time to file his submissions on record, in respect of the petitioner No.7, considering which, list the matter on 07/04/2025. It is made clear that if no reply is filed on 07/04/2025, the matter would be decided without any reply on behalf of the respondent No.15, insofar as the claim of the petitioner No.7 is concerned.

3. Insofar as the petitioner No.5 is concerned, the relevant management is respondent Nos.13 and 14, who have not been served, the petitioners to serve them by all modes of service including *hamdast* by 07/04/2025.

4. In view of the aforesaid statement by the learned AGP, that the surplus list has been operated upon by granting orders of absorption to all those placed therein and there is no person available in the surplus list, the wait list, has been operated in view of which, we modify the order dated 16/10/2024 insofar as the direction as contained in

para-7 is concerned, by directing the respondents-State to operate the waiting list, as and when persons are enrolled therein as early as possible.

5. In Writ Petition No.343 of 2025, since the statement is made by the learned AGP, that the entire wait list/surplus list has been operated upon by issuing orders of absorption to the persons included therein and there is no one left in the wait/surplus list, and no person, has been directed to be absorbed in the petitioner-institution, the prayer of the petitioners in Writ Petition No.343 of 2025 for grant of NOC for filling in the vacancy, by directing the respondent Nos.1 and 2 to grant NOC, to the petitioners to fill in the existing vacancy in terms of the applications at Annexure-A and B, is allowed which shall be done within a period of two weeks from today.

6. We, however, caution the respondent Nos.1 and 2, that such an exercise of grant of NOC, cannot be done in a casual manner and will have to be done only in case, where there are no persons available in the wait/surplus list of the candidates and not otherwise.

7. Writ Petition No.343 of 2025 is accordingly allowed in the above terms. No costs.

8. List Writ Petition No.8001 of 2019 for further consideration on 07/04/2025.

(ABHAY J. MANTRI,J)

(AVINASH G. GHAROTE, J)