



**IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD**

1032 WRIT PETITION NO. 1551 OF 2026

Santosh Mohan Kakade

VERSUS

The State Of Maharashtra Through Its Principle Secretary And Others

...

Advocate for the Petitioner : Mr. Kakade Amarsinha Shankar

AGP for Respondents-State: Ms. Vaishali S. Choudhari

...

**CORAM : ARUN R. PEDNEKER AND
VAISHALI PATIL-JADHAV, JJ.**

Dated : February 17, 2026

PER COURT :

1. Heard.

2. The petitioner challenges the interim order dated 29/01/2026 passed in O.A. No. 72 of 2026 by the Maharashtra Administrative Tribunal (MAT), whereby interim relief is refused in the Original Application filed by the petitioner seeking 4% reservation for persons with disabilities in the advertisement issued for the post of "*Police Patil*". The petitioner submits that he has 40% locomotive disability.

3. The learned Counsel for the petitioner submits that 4% reservation ought to have been provided to the disabled category in view of Section 34 of the Rights of Persons with Disabilities Act, 2016. He further submits that no permission, as contemplated under Section 33 of the said Act, has been obtained for not reserving the post in question.

4. We have perused the interim order passed by the learned Member of

the Tribunal. It is observed therein that, considering Section 3(3) of the Rights of Persons with Disabilities Act, 2016 and Clause D(14) of the advertisement, the Tribunal is not inclined to grant interim relief as prayed for by the applicant/ present petitioner. The process of selection has already commenced.

5. Section 6 of the Maharashtra Village Police Act, 1967 provides for the duties of a Police Patil as under :

“6. Duties of Police-Patil – Subject to the orders of the District Magistrate, the Police-patil shall,-

- (i) act under the orders of any other Executive Magistrate within whose local jurisdiction his village is situated ;*
- (ii) furnish such return and information as may be called for by such Executive Magistrate ;*
- (iii) constantly keep such Executive Magistrate informed as to the state of crime and all matters connected with the village police and the health and general condition of the community in his village ;*
- (iv) afford every assistance in his power to all Police Officers when called upon by them in the performance of their duty ;*
- (v) promptly obey and execute all orders and warrants issued to him by a Magistrate or Police Officer ;*
- (vi) collect and communicate to the Station Officer intelligence affecting the public peace ;*
- (vii) prevent within the limits of his village the commission of offence and public nuisances, and detect and bring offenders therein to justice ;*
- (viii) perform such other duties as are specified under other provisions of this Act, and as the State Government may, from time to time, by general or special order specify in this behalf.”*

6. Rule 3(d) of the Maharashtra Village Police Patils (Recruitment, Pay, Allowances and Other Conditions of Service) Order, 1968 reads as under :

“No person shall be eligible for being appointed as a Police Patil who is physically unfit to perform the duties of a Police Patil.

Provided that the candidate may be required by the competent authority to undergo medical examination to determine his physical fitness, if deemed necessary.”

7. Considering the nature of duties prescribed under Section 6 of the Act and the provisions of Rule 3(d), and upon perusal of the impugned order, we *prima facie* do not find any error in the order passed by the Tribunal refusing to grant interim relief. The Original Application is still pending before the Tribunal and shall be decided in accordance with law.

8. With the aforesaid observations, the Writ Petition stands dismissed.

(VAISHALI PATIL-JADHAV, J.)

(ARUN R. PEDNEKER, J.)

vj gawade/-.