

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

WRIT PETITION NO.1919 OF 2026

Manish Bhimrao Birajdar

...Petitioner

Versus

Maharashtra Public Service Commission & Ors.

...Respondents

Mr. Yuvraj Narvankar a/w Rahul Patil, for the Petitioner.

Mr. S. B. Kalel, AGP, for the Respondent-State.

**Coram: Madhav J. Jamdar &
Pravin S. Patil, JJ.**

Date: May 6, 2026.

P.C.:

1. In the present Writ Petition, the challenge is to the Judgment and Order passed by the learned Maharashtra Administrative Tribunal, Mumbai, in Original Application Nos.392 of 2025, 434 of 2025, and 458 of 2025, along with Misc. Application No.282 of 2025.
2. After filing of the present Writ Petition, subsequent events have taken place. According to the Petitioner, three out of five candidates have indicated their unwillingness to join the post. In view of this, the Petitioner has made a representation to the Maharashtra Public Service Commission on 27th March 2026, requesting that his claim be considered, as he is one of the candidates whose name appears in the waiting list at Serial No.5. In the representation, the Petitioner has taken out entire details as to how he is entitled to the said post.

3. In our considered opinion, this Writ Petition can be disposed of by directing the Maharashtra Public Service Commission to consider and decide the representation of the Petitioner dated 27th March 2026 within a period of 2 weeks from the date of production of this Order, by passing an appropriate Order. While considering the representation, the Commission shall also take into account the unwillingness of the candidates as stated in the said representation.
4. In the event that the Commission is of the opinion that the Petitioner is not entitled to the said post, then in that case, hearing opportunity be given to the Petitioner, and after recording the cogent reasons, the same should be communicated within a period of 4 weeks from the date of the Order.
5. The Writ Petition stands disposed of accordingly.

[Pravin S. Patil, J.]

[Madhav J. Jamdar, J.]