Priya Soparkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2498 OF 2024

Sampat Mahadeo Jadhav and ors. …Petitioners
Versus
State of Maharashtra and ors. …Respondents

Mr. Narendra Bandiwadekar with Mr. A. Kadam i/by Mr. Sandeep Phatak, for the Petitioners.
Mr. B.V. Samant, Addl. GP with Mr. S. P. Kamble, AGP, for the State.

CORAM: SUMAN SHYAM &
ADVAIT M. SETHNA, JJ.

DATED: 18th AUGUST 2026.

PC:-

1. Heard the learned counsel appearing for the parties.

2. In Writ Petition No.2498 of 2024, the Original Applicants in Original Application (OA) No.04 of 2018 have challenged the judgment and order dated 22nd February, 2023 passed by learned Maharashtra Administrative Tribunal (**MAT**) disposing of the OA. The operative part of the order, at paragraph No.16, is reproduced herein-below for ready reference :-

PRIYA RAJESH SOPARKAR
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Date: 2026.08.19 12:08:14 +0530

> "16. The totality of the aforesaid discussion leads us to pass following order: -

> (i) The Condition No.3 in Circular dated 02.07.2013 that validity of 2013 departmental examination is 1 year is quashed and set aside.
>
> (ii) The Respondent No.2 is directed to publish fresh list of 2013 departmental examination with necessary details like marks obtained, seniority position amongst other thing within 3 months from today. It should be published on official website of Respondent No.2.
>
> (iii) No order as to costs"

3. It appears from the material on record that the Original Applicants had approached the learned Tribunal *inter-alia* alleging serious anomalies in the merit list prepared pursuant to the departmental examination conducted by the authorities for giving promotion to various eligible candidates to the post of Police Sub-Inspector (PSI).

4. Mr. Bandiwadekar, learned counsel appearing for the Petitioner has submitted, in his usual fairness, that since there was no stay order passed in this Writ Petition, the department has published the revised merit-list on 12th September, 2023 as per the direction of the learned Tribunal. Therefore, the impugned judgment of the learned MAT has already been implemented.

5. Mr. B.V. Samant, learned Addl. GP. appearing for the Respondent also submits that since the merit-list has been published, the order of the learned MAT has been implemented and therefore, the Writ Petition has become infructuous.

6. After taking note of the submissions of the learned counsel for both the sides, Writ Petition No.2498 of 2024 is hereby disposed of, as infructuous, by granting liberty to the Petitioners to avail appropriate legal remedy, pertaining to the revised merit-list dated 12th September, 2023, and in any matter incidental thereto, if any, in accordance with law.

7. Writ Petition stands disposed of accordingly.

(ADVAIT M. SETHNA, J.) (SUMAN SHYAM, J.)