IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10942 OF 2026

Kiran Ajit Meher and Ors ...Petitioners
Versus
Commissioner and Director
Directorate of Municipal
Administration and Anr. ...Respondents

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Mr Ratan Ladhe, for Petitioners.
Mr A R Deolekar, AGP for Respondent-State.

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CORAM: G. S. KULKARNI &
DR. NEELA GOKHALE, JJ.

DATE: 13 OCTOBER 2026

P.C.

1. This Writ Petition under Article 226 of the Constitution of India is filed praying for the following substantive reliefs:-

> "A] By issuing writ of certiorari or any other writ, order or directions in the like nature quash and set aside Office Order No.2420329 dated 13.08.2026, to the extent the same purports to discontinue, curtail, alter, supersede or otherwise adversely affect the Petitioners' subsisting empanelment, tenure and/or existing allocation of legal work;
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> B] To hold and declare that, Petitioners' respective original empanelment orders, including the tenure and applicable terms thereof, shall continue to operate unless lawfully modified or discontinued by the competent authority in accordance with the applicable terms, Government policy and due process of law;
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> C] By issuing writ of Mandamus or any other writ, order or directions

in the like nature to direct the respondents to clarify in writing the subsisting status of each Petitioner's original empanelment, including tenure, applicable terms and entitlement to receive/undertake legal assignments;

D] By issuing writ of Mandamus or any other writ, order or directions in the like nature to direct the respondents to maintain the Petitioners' subsisting empanelment and existing position under their original empanelment orders pending lawful reconsideration and final adjudication of the present Petition;

E] By issuing writ of Mandamus or any other writ, order or directions in the like nature to direct the respondents to disclose the specific statutory provision, rule, clause, Government Resolution, policy, administrative instruction or other legal authority relied upon for altering or adversely affecting the Petitioners subsisting empanelment and/or existing allocation of legal work;

F] By issuing writ of Mandamus or any other writ, order or directions in the like nature to direct the respondents to produce the original record and decision-making file relating to the impugned Office Order, including the original advertisement, applications, eligibility criteria, scrutiny records, merit/selection list, waiting list, empanelment records, subsequent modifications/reconstitution, criteria for allocation of legal work, file notings, recommendations and approvals;

G] By issuing writ of Mandamus or any other writ, order or directions in the like nature to direct the respondents to undertake a fair, transparent and objective verification of the constitution/reconstitution of the panel and allocation of legal work with reference to the original advertisement, eligibility criteria, merit/selection list, waiting list, empanelment terms and applicable Government policy;

H] By issuing writ of Mandamus or any other writ, order or directions in the like nature to direct the respondents to process and determine and release all duly submitted, verified and admissible professional fee

bills of the Petitioners from March 2026 onwards within such period as this Hon'ble Court may deem fit and proper;"

2. On 9th September 2026, we have passed the following ad-interim order:-

"1. We have heard the proceedings out of turn, as Mr. Ranan Ladhe, learned counsel for the Petitioners, stated that there is some urgency. However, Me Deolekar, learned AGP, on instructions, states that the Petitioners appointments as contract appointees on the panel ace in no manner disturbed and what has been done under the advertisement is that a fresh panel is prepared by categorizing the nature of work, which would now be given to the empanelled Advocates.

2. In our opinion, if what has been stated is the correct position, then, prima facie, no prejudice is caused to the Petitioners.

3. Let the reply affidavit to the petition be placed on record within a period o two weeks.

4. List the proceedings on 23rd September 2026."

3. Now, reply affidavit is placed on record of Mr. Vijaykumar Pandurang Mhasal, Joint Commissioner, Directorate of Municipal Administration, Government of Maharashtra *inter alia* making the following relevant statements in paragraphs 4 and 5 therein, which read thus:-

"That said, I wish to point out that, the captioned Petition proceeds on the basis of the assumption and presumption on part of the Petitioners that, the said Office Order which has been issued by the Respondent No. 1 seeks to discontinue and/or curtail or alter and/or supersede and/or otherwise adversely affects them. However, the same is far from the truth considering the fact that, the Respondent No. 1 through the said Office Order, has sought to merely put in place a system and/or mechanism to entrust legal work to the empanelled Advocates in a division-wise manner. In fact, even such system and/or mechanism is to be followed only for such matters which have been

filed pursuant to August 1, 2026. Needless to mention that, no assignment of legal work subsisting as on August 1, 2026 has been disturbed and/or interfered with any manner whatsoever. I wish to also point out that, a careful reading of the Petition would reveal that, the Petitioners have not been able to demonstrate how the said Office Order seeks to disturb their existing empanelment with the Respondent No. 1 and/or any terms or conditions thereof. Needless to also mention that, the administrative decision in form of the said Office Order taken by the Respondent No. 1 by factoring the requirement of the department and to make better use of the resources available with it. Thus, I state as well as submit and also clarify that, the said Office Order does not in any manner whatsoever either discontinues and/or curtails and/or alters and/or supersedes and/or otherwise adversely affects the Petitioners or even remotely attempts to do so. Hence, I say that, on this ground alone the captioned Petition as filed by the Petitioners is premature and consequentially is not maintainable.

5. Moreover, I must point out that, being empanelled as a Panel Advocates with the Respondent No. 1 does not confer upon the Petitioners any vested right to seek allocation of legal work since the same remains an administrative prerogative of such Respondent. Thus, in the absence of any vested right, the Petitioners have no locus whatsoever to mount a challenge to the said Office Order on any ground much less the grounds mentioned in the captioned Petition. Thus, I say that, on this ground alone, the captioned Petition is not maintainable." (emphasis supplied)

4. Also, in paragraph 6 of the affidavit, the payments as made to the four Petitioners have been listed. There are amounts totalling to Rs.29,42,740/- released in their favour.

5. In this view of the matter, we are of the opinion that further adjudication of this Petition is not called for as the empanelment of the Petitioners is in no manner disturbed.

6. We have not delved on any other issues. In the event the Petitioners have any other legal rights to agitate or any other concerns, all contentions of the parties in that regard are expressly kept open.

7. The Writ Petition is disposed of in the aforesaid terms keeping open all contentions of the parties. No costs.

(DR. NEELA GOKHALE, J.) **(G. S. KULKARNI, J.)**

SHAMBHAVI NILESH SHIVGAN

Digitally signed by SHAMBHAVI NILESH SHIVGAN
Date: 2026.10.16 11:50:25 +0530