

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

WRIT PETITION NO.7890 OF 2024

**BASAVRAJ
GURAPPA
PATIL**

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BASAVRAJ
GURAPPA PATIL
Date: 2026.03.05
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Union of India
Through Secretary to Government of India
Ministry of Defence & Ors. .. Petitioners
Vs.
Dinesh H. Prasad & Ors. .. Respondents

**WITH
WRIT PETITION (ST) NO.4452 OF 2020**

Union of India
Through Secretary to Government of India
Ministry of Defence & Ors. .. Petitioners
Vs.
Sonawane Vijay Arvind .. Respondent

**WITH
WRIT PETITION (ST) NO.4453 OF 2020**

Union of India
Through Secretary to Government of India
Ministry of Defence & Ors. .. Petitioners
Vs.
Rajesh Shridhar Bandkar .. Respondent

**WITH
WRIT PETITION (ST) NO.4548 OF 2020**

Union of India
Through Secretary to Government of India
Ministry of Defence & Ors. .. Petitioners
Vs.
Madane Samiran Sakham .. Respondent

**WITH
WRIT PETITION (ST) NO.4549 OF 2020**

Union of India
Through Secretary to Government of India
Ministry of Defence & Ors. .. Petitioners
Vs.

Surekha Nitin Sonawane

.. Respondent

WITH

WRIT PETITION (ST) NO.4550 OF 2020

Union of India

Through Secretary to Government of India

Ministry of Defence & Ors.

.. Petitioners

Vs.

Deepak Sharma

.. Respondent

WITH

WRIT PETITION (ST) NO.4764 OF 2020

Union of India

Through Secretary to Government of India

Ministry of Defence & Ors.

.. Petitioners

Vs.

Bais Krishnakant Laxman

.. Respondent

WITH

WRIT PETITION (ST) NO.4959 OF 2020

Union of India

Through Secretary to Government of India

Ministry of Defence & Ors.

.. Petitioners

Vs.

Anil Kumar M. Shikera & Ors.

.. Respondents

WITH

WRIT PETITION NO.4700 OF 2023

Union of India

Through Secretary to Government of India

Ministry of Defence & Ors.

.. Petitioners

Vs.

Abhishek Upadhyay

.. Respondent

WITH

WRIT PETITION NO.781 OF 2021

Union of India

Through Secretary to Government of India

Ministry of Defence & Ors.

.. Petitioners

Vs.

Kamble Santosh Mohan

.. Respondent

**WITH
WRIT PETITION (ST) NO.5236 OF 2020**

Union of India	
Through Secretary to Government of India	
Ministry of Defence & Ors.	.. Petitioners
Vs.	
Azharuddin Naziruddin Sayyed & Ors.	.. Respondents

**WITH
WRIT PETITION (ST) NO.5338 OF 2021**

Union of India	
Through Secretary to Government of India	
Ministry of Defence & Ors.	.. Petitioners
Vs.	
Abhijeet Ravindra Pawar	.. Respondent

**WITH
WRIT PETITION (ST) NO.5288 OF 2020**

Union of India	
Through Secretary to Government of India	
Ministry of Defence & Ors.	.. Petitioners
Vs.	
Samaresh Kumar Nayak & Ors.	.. Respondents

**WITH
WRIT PETITION (ST) NO.5290 OF 2020**

Union of India	
Through Secretary to Government of India	
Ministry of Defence & Ors.	.. Petitioners
Vs.	
Ravi Kumar Koli & Ors.	.. Respondents

**WITH
WRIT PETITION NO.16059 OF 2022**

Union of India	
Through Secretary to Government of India	
Ministry of Defence & Ors.	.. Petitioners
Vs.	
Tejas Sadanand Jadhav	.. Respondent

...

Mr. Mainak Adhikary i/b. Ms. Anamika Malhotra,
Advocates for the Petitioners in all the petitions

Mr. Vishal Shirke, Advocate for Respondent Nos.1 to
5 in WP/7890/2024

**CORAM : SHREE CHANDRASHEKHAR, CJ &
GAUTAM A. ANKHAD, J.**

DATE : 5th FEBRUARY 2026

P.C. :

In the original applications filed by the applicants who had diploma degree from the Institute of Mechanical Engineers, a challenge to the letters dated 18th December 2012 and 11th January 2013 was made primarily relying on the decision in “*Institution of Mechanical Engineers (India)*”¹.

2. The Tribunal did not examine the eligibility of the individual applicants and disposed of the original applications by an order dated 16th October 2019 observing that the individual cases shall be examined with reference to the Recruitment Rules and the decision in “*Institution of Mechanical Engineers (India)*”.

3. Aggrieved by the direction of the Tribunal to examine each individual case and pass an order thereon within six weeks, the Union of India has filed these writ petitions.

4. Mr. Mainak Adhikary, the learned counsel for the Union of India submits that the observation of the Tribunal in paragraph no.7 shall tie the hands of the Employer in so far as the said order holds that the decision in “*Institution of Mechanical Engineers (India)*” squarely applies to the individual cases.

5. In “*Institution of Mechanical Engineers (India)*”, the dispute as to

¹ *Institution of Mechanical Engineers (India) Through its Chairman v. State of Punjab : 2019 SCC OnLine 1023.*

the validity of the certificate awarded by the Institution of Mechanical Engineers and its equivalent degree in mechanical engineering fell for consideration before the Hon'ble Supreme Court. Having regard to the All India Council for Technical Education (AICTE) Notification dated 6th December 2012 which clarified that the degree awarded to a candidate upto 31st May 2013 by the Institution of Mechanical Engineers shall be equivalent to a degree in Mechanical Engineering, the Tribunal has qualified the observations in paragraph no.7 as to the applicability of the decision in *"Institution of Mechanical Engineers (India)"* and held that the eligibility of the individual candidates shall be examined with reference to the Recruitment Rules. The Tribunal further observed that the Employer shall take into consideration the year in which the examinations were conducted and then make an exception in favour of the candidates who have been enrolled from 16th October 2006 to 31st May 2013 which was the cut-off date in the AICTE Notification dated 6th December 2012.

6. Viewed thus, these writ petitions lack merit and, accordingly, dismissed.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]