

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

**WRIT PETITION NO.6319 OF 2021**

Shri. Swapnil Prakash Bacchav,  
Age about 27 years, Occupation- Nil,  
R/o- Amardham Road,  
Amberkar Nagar, Satana, Tal-Satana  
Dist- Nashik

...Petitioner

***Versus***

1. The State of Maharashtra  
Through the Collector,  
Nagar Parishad Division, Nashik,  
(Notice to be served on the A.G.P.)  
High Court, Writ Cell, Mumbai.

2. The Chief Officer,  
Satana Nagar Parishad,  
Satana, District- Nashik

...Respondents

**WITH  
INTERIM APPLICATION NO.214 OF 2026  
IN  
WRIT PETITION NO.6319 OF 2021**

Shri. Swapnil Prakash Bacchav,  
Age Adult, Occ. Nil,  
R/o- A/P. Ambedkar Niwas,  
Swapnil Niwas, Satana, Dist. Nashik

...Applicant

**IN THE MATTER BETWEEN**

Shri. Swapnil Prakash Bacchav,  
Age 37 Years, Occ. Nil,  
R/o- A/P. Ambedkar Nagar,  
Swapnil Niwas, Satana, Dist. Nashik

Original  
...Petitioner

***Versus***

1. The State of Maharashtra  
Through the Collector,  
Nagarparishad Division, Nashik,

2. The Chief Officer,  
Satana Nagarparishad,  
Satana, District- Nashik ...Respondents

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Mr. Gaurav Bandiwadkar for the Petitioner/Applicant.  
Mr. P.G. Swant, AGP for the Respondent/State.  
Mr. Sarthak Diwan for Respondent No.2.

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**CORAM : RAVINDRA V. GHUGE  
&  
ABHAY J. MANTRI, JJ.**

**DATE : 30<sup>th</sup> JANUARY, 2026**

**ORAL JUDGMENT (PER : RAVINDRA V. GHUGE, J.)**

1. **Rule.** Rule made returnable forthwith and heard finally  
by the consent of the parties.

2. The father of the Petitioner passed away on  
7<sup>th</sup> September, 2003. His mother's name was admittedly included in  
the wait list, after one Nirmala Vyankat Sonawane. Since the mother  
of the Petitioner subsequently became age-barred, having crossed  
45 years of age, she made an application on 27<sup>th</sup> August, 2010  
praying that her son (the present Petitioner) be enlisted for  
appointment on compassionate grounds. Pursuant thereto, the  
Petitioner was appointed on compassionate basis vide order dated  
14<sup>th</sup> June, 2021.

3.           Thereafter, one Rohit Vyankatrao Sonawane lodged a grievance with the Municipal Council contending that his father had passed away prior to the death of the Petitioner's father, that his name had been enlisted earlier than that of the Petitioner's mother, and that he was, therefore, entitled to appointment in preference to the Petitioner. He approached this Court by filing Writ Petition No.8855 of 2025. This Court delivered a judgment on 18<sup>th</sup> September 2025, recording that the Petitioner therein, Rohit Sonawane, had a right to have his name substituted in place of his mother and that, whenever a vacancy arises in the Class-III category, his case should be considered for appointment in accordance with his qualifications.

4.           The present Petitioner, who had earlier been appointed on compassionate basis, suffered unilateral termination on the basis of the complaint made by Mr. Rohit Sonawane, much prior to his approaching this Court in his Petition. Therefore, the learned Advocate for the present Petitioner submits that the name of the present Petitioner be entered in the wait list in place of the name of his mother from the date his mother's name was included in the wait list and if a vacant post, with the qualifications of the Petitioner becomes available, the Council may consider the case of the present

Petitioner on compassionate basis.

5. The learned Advocate appearing for the Municipal Council submits that the Council only communicates the particulars of enlisted eligible candidates and available vacancies to the District Collector, Nashik, who passes the final order.

6. In view of the above, **this Petition is disposed off.**

7. We record that the name of the present Petitioner, Swapnil, shall be entered in the wait list as a replacement of his mother's name with effect from the date on which his mother's name was included. The records maintained by the District Collector shall be corrected accordingly. As and when a vacancy arises for which the Petitioner possesses the requisite qualifications and eligibility, the District Collector would consider his claim on the basis of the seniority of eligible candidates in the wait list and would issue an appropriate appointment order, if there is no other legal impediment.

8. **Rule is discharged.**

9. In view of the above, **pending Interim Application** would not survive and accordingly stands disposed off.

**(ABHAY J. MANTRI, J.)**

**(RAVINDRA V. GHUGE, J.)**