

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

WRIT PETITION NO. 834 OF 2026

Hemlata Ramdas Pagar & Anr.Petitioners

Versus

The State of Maharashtra & Anr.Respondents

**WITH
WRIT PETITION NO. 835 OF 2026**

Samadhan Kalu Shewale & Anr.Petitioners

Versus

The State of Maharashtra & Anr.Respondents

**WITH
WRIT PETITION NO. 836 OF 2026**

Kiran Pandit Jadhav & Anr.Petitioners

Versus

The State of Maharashtra & Anr.Respondents

**WITH
WRIT PETITION NO. 837 OF 2026**

Sunanda Daulat Bachhav & Anr.Petitioners

Versus

The State of Maharashtra & Anr.Respondents

**WITH
WRIT PETITION NO. 839 OF 2026**

Prashant Sham Bagul & Anr.Petitioners

Versus

The State of Maharashtra & Anr.Respondents

Mr. Suresh Pakale a/w. Mr. Saurabh Pakale a/w. Mr. Nilesh Desai i/b. Mr. Padmoja Malgaonkar, for the Petitioners in all matters.

Mr. Ashwin R. Kapadnis, for Respondent Nos. 4 & 5 in all matters.

WP No. 834/2026, Mr. P. P. Kakade, AGP a/w. Mr. M. M. Pable, AGP for State.

WP No. 835/2026, Ms. Priyanka Chavan, AGP for State.

WP No. 836/2026, Ms. S. D. Chipade, AGP for State.

WP No. 837/2026, Mrs. N. M. Mehra, AGP for State.

WP No. 839.2026, Mrs. R. A. Salunke, AGP for State.

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

DATE : 17th JANUARY, 2026

P.C. :-

1. We have heard the learned Senior Advocate on behalf of the Petitioners, the learned Additional Government Pleader/AGPs on behalf of the State, and Shri. Kapadnis, the learned Advocate on behalf of the Nashik – Zilla Parishad. In all these cases, involving more than 43 Petitioners, two are suffering from Locomotor Disability and 41 Petitioners are suffering from hearing impairment. Most of them have acquired the Disability after appointment and joining duties. Out of these, 41 Petitioners suffering from hearing impairment and only eight have the disability prior to joining duties and rest of 33 Petitioners have acquired the disability after being appointed.

2. They are deriving several benefits in the form of increments payable through the taxpayers' money. In view of the G.R. dated 09th October, 2025 and the Circular dated 16th June, 2025 issued earlier, the Zilla Parishads in the State of Maharashtra are carrying out a full-fledged exercise of re-examination. Considering the peculiarity of the disabilities and after recording that several such disabilities are said to have affected the Petitioners only after their appointments, there are special benefits for such Persons with Disabilities including that they are not to be appointed in difficult areas or tribal areas, and they are entitled for increments etc.

3. We find that several Division Benches have passed different orders. Some have granted a complete stay on the examination. Some Benches have directed examination to be conducted, though no coercive action to be taken against Petitioners.

4. We are of the view that there has to be unanimity in the view to be taken by the Bombay High Court. Considering various orders passed, *ex-facie*, we find that such matters need to be clubbed and placed before a Larger Bench for proper appreciation,

in view of Benches with equal strengths having passed different orders, though at the ad-interim stage.

5. We call upon the learned Additional Government Pleaders/(AGPs) as well as the learned Advocate Shri. Kapadnis appearing for the Respondents, to prepare a compilation of orders passed by a various Benches. Let such compilation be placed before us on **21st January 2026**. We would appreciate if, in such compilation, orders are placed into compartments considering the type of the order / relief granted by the Court.

6. Until further orders, since these Petitioners claim that they have acquired the disability after their appointments (when they were able Bodied Persons), more than 15 to 20 years ago, for the present, we direct the Zilla Parishad not to compel the Petitioners to be medically re-examined by the concerned Authority.

7. List all these matters on **21st January 2026**, in the ‘Urgent Supplementary Board’.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)