

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4325 OF 2026

Santosh Hiranman Lashkare

....Petitioner

Versus

The State of Maharashtra & Anr.

....Respondents

WITH
WRIT PETITION NO.4461 OF 2026
WITH
WRIT PETITION NO.4465 OF 2026
WITH
WRIT PETITION NO.4466 OF 2026
WITH
WRIT PETITION NO.4469 OF 2026
WITH
WRIT PETITION NO.4473 OF 2023
WITH
WRIT PETITION NO.4475 OF 2023
WITH
WRIT PETITION NO.16794 OF 2023
WITH
WRIT PETITION NO.16792 OF 2023
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WRIT PETITION NO.16793 OF 2023
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WRIT PETITION NO.16800 OF 2023
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WRIT PETITION NO.16802 OF 2023
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WRIT PETITION NO.19547 OF 2024
WITH
WRIT PETITION NO.16975 OF 2023
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WRIT PETITION NO.3436 OF 2026
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WRIT PETITION NO.3462 OF 2026
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WRIT PETITION NO.17902 OF 2025
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WRIT PETITION NO.17568 OF 2025
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WRIT PETITION NO.17912 OF 2025
WITH
INTERIM APPLICATION NO. 2199 OF 2026

WITH
INTERIM APPLICATION NO. 2202 OF 2026
WITH
WRIT PETITION NO.3631 OF 2026
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WRIT PETITION NO.10270 OF 2025
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WRIT PETITION NO.10271 OF 2025
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WRIT PETITION NO.17903 OF 2025
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INTERIM APPLICATION NO.38869 OF 2025
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WRIT PETITION NO.17920 OF 2025
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WRIT PETITION NO.4033 OF 2026
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INTERIM APPLICATION NO.2396 OF 2026
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WRIT PETITION NO.17923 OF 2025
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INTERIM APPLICATION NO.38870 OF 2025
WITH
WRIT PETITION NO.2971 OF 2026
WITH
WRIT PETITION NO.2974 OF 2026
WITH
WRIT PETITION NO.2997 OF 2026
AND
WRIT PETITION NO.17925 OF 2025
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WRIT PETITION NO. 4497 OF 2026
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WRIT PETITION NO. 4507 OF 2026
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WRIT PETITION NO. 4510 OF 2026
WITH
WRIT PETITION (ST) NO. 7966 OF 2026
WITH
WRIT PETITION (ST) NO. 8937 OF 2026
WITH
WRIT PETITION (ST) NO. 9141 OF 2026

Mr. Saurabh Pakale i/b. Ms. Padmaja Malgaonkar, for the Petitioners in Sr.No. 925, 926 and 929.

Mr. Shreekant Gavand a/w. Mr. Pandurang Gaikwad, for Respondent Nos. 6 and 7 in Sr. No. 931.

Mr. Vivek Rane, for the Petitioners in WP No. 433 of 2026.

Ms. Sakshi Thombre i/b. Mr. Vivek Rane, for the Petitioner in Sr. No. 927 & 928.

Mr. Ashwin Kapadnis, for Respondents in WP Nos. 433, 434, 834, 839, 835, 836, 837, 1999, 2378, 2380, 2381, 2382 and 2383 of 2026 and for Respondents in WP No. 3581 of 2026.

Ms. Sakshi Thombre i/b. Mr. Bhavesh Paithane, for the Petitioners in WP No. 2378 of 2026.

Mr. Suvidh S. Kulkarni, for the Petitioner in Sr. No. 915, 916, 917, 918, 919, 920 & 921.

Mr. Dhanraj A. Lodha i/b. Mr. Hrishikesh Tungar in WP No. 4033 of 2026 in Sr. No. 929.

Mr. Kedar B. Dighe, for Respondent Nos. 2, 4 and 5.

Mr. P. P. Kakade, Addl. GP. a/w. Ms. D. S. Deshmukh, AGP for the State/Respondent in Sr. No. 913.

Ms. Priyanka Chavan, for Respondent/State in Sr. No. 915.

Mr. V. G. Badgujar, AGP for State/Respondent in Sr. No. 916.

Mr. O. A. Chandurkar, Addl. GP. a/w Mr. S. P. Kamble, AGP for State/Respondent in Sr. No. 917.

Mr. A. K. Naik, AGP for State/Respondent in Sr. No. 918.

Ms. P. N. Diwan, AGP for Respondent/State in Sr. No. 919.

Ms. N. M. Mehra, AGP for State/Respondent in Sr. No. 920.

Mr. P. P. Kakade, Addl. GP. a/w. Ms. N. M. Mehra, AGP in WP No. 16794 of 2023.

Ms. D. S. Deshmukh, AGP in WP No. 16792 of 2023.

Ms. P. N. Diwan, AGP in WP No. 16793 of 2023.

Mr. A. K. Naik, AGP in WP No. 16800 of 2023.

Mr. V. G. Badgujar, AGP in WP No. 16802 of 2023.

Mr. A. R. Deolekar, AGP in WP No. 19547 of 2024.

Mr. P. P. Kakade, Addl. GP a/w. Ms. D. S. Deshmukh, AGP for Respondent/State in Sr. No. 922.

Advocate B. V. Samant, Addl. GP. a/w Ms. P. N. Diwan in WP No. 17912 of 2025.

Ms. D. S. Deshmukh, AGP in WP No. 3631 of 2026.

Mr. P. P. Kakade, Addl. GP in WP No. 1027 of 2025.

Mr. A. K. Naik, AGP in WP No. 10271 of 2025.

Ms. N. M. Mehra, AGP in WP No. 17903 of 2025.

Mr. O. A. Chandurkar, Addl. GP in WP No. 17904 of 2025.

Mr. A. R. Deolekar, AGP in WP No. 17905 of 2025.

Ms. Priyanka Chavan, AGP in WP No. 17906 of 2025.

Advocate M. P. Thakur, a/w Mr. V. G. Badgujar, AGP in WP No. 17907 of 2025.

Ms. P. M. Deshpande, AGP in WP No. 17908 of 2025 in Sr. No. 926.

Mr. O. A. Chandurkar, Addl. GP a/w Ms. P. N. Diwan, AGP in Sr. No. 927.

Mr. O. A. Chandurkar, Addl. GP a/w Ms. P. N. Diwan, AGP in Sr. No. 928.
 Mr. O. A. Chandurkar, Addl. GP in WP No. 834 of 2026.
 Mr. V. G. Badgujar, AGP in WP No. 835 of 2026.
 Ms. Pooja Patil, AGP in WP No. 836 of 2026.
 Ms. D. S. Deshmukh, AGP in WP No. 837 of 2026.
 Advocate M. P. Thakur, AGP in WP No. 1999 of 2026.
 Ms. N. M. Mehra, AGP in WP No. 2378 of 2026.
 Mr. A. K. Naik, AGP in WP No. 2380 of 2026.
 Mr. M. M. Pable, AGP in WP No. 2381 of 2026.
 Advocate P. M. J. Deshpande, AGP in WP No. 2382 of 2026.
 Mr. A. R. Deolekar, AGP in WP No. 2729 of 2026.
 Ms. P. N. Diwan, AGP in WP No. 4038 of 2026 in Sr. No. 929.
 Mr. B. V. Samant, Addl. GP a/w Mr. S. P. Kamble, AGP for State/Respondent in Sr. No. 930.
 Mr. O. A. Chandurkar, Addl. GP a/w Ms. N. M. Mehra, AGP for State/Respondent, in Sr. No. 931.
 Mr. O. A. Chandurkar, Addl. GP a/w Mr. A. C. Bhadang, AGP for Respondent/State in Sr. No. 932.

**CORAM : RAVINDRA V. GHUGE &
 ABHAY J. MANTRI, JJ.
 DATE : 7th APRIL, 2026**

P.C. :-

1. In all these matters, the similarly placed Petitioners fall within the category of Persons with Disabilities (PwD). All these Petitioners have been directed to subject themselves to medical examinations, as the Department has noticed a large-scale purported malpractice of categorisation of employees as PwD. In similar matters, we have directed all the Petitioners to undergo fresh medical examinations, with the rider that, after the receipt of their

medical reports, no precipitative action would be initiated against any of such Petitioners.

2. In view of the above, we are passing a similar order directing that the Petitioners shall subject themselves to such medical examination as may be mandated by the concerned authorities / employers. After the medical examinations, no precipitative action would be initiated against such Petitioners solely on the basis of any variation in the medical reports. Consequently, the registration of FIRs, which is one of the steps contemplated by the Respondent Authorities, as well as the orders of suspension issued to some of the Petitioners, shall stand stayed. In other words, all such suspension orders shall remain stayed. The Department shall refrain from registering FIRs against such Petitioners merely on account of any variation in their earlier medical reports and the new medical reports.

3. The learned Additional Government Pleader, Mr. Kakade, has fairly stated that, after this Court passed such protective orders in the earlier batch of Petitions, the Department was intimated of such orders. The learned Senior Advocate, Mr. Pakale, submits that, despite the passing of such orders by this Court, those

who are not Petitioners before the Court, are being subjected to orders of suspension, proposed registration of FIRs, and/or disciplinary action.

4. We, therefore, record that such interim orders granting protection to the Petitioners, shall apply to all similarly placed persons, and the Department shall take note of these orders so as to refrain from registering FIRs or issuing further suspension orders.

5. All the learned Advocates appearing in matters transferred from the Nagpur and Aurangabad Benches and the Kolhapur Circuit Bench, which have been clubbed before this Court under the orders of the Hon'ble The Chief Justice of the Bombay High Court, shall tender brief written notes of submissions, not exceeding two pages, on the next date.

6. By consent of the parties, all these matters be listed on **9th April 2026, at 3:00 p.m.**, along with the other part-heard matters group already scheduled on the said date.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)