

PH. Jayani

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL WRIT PETITION NO. 5411 OF 2026

Maske Narendra Jalindar	 Petitioner
V/s.	
The State of Maharashtra	
Through Secretary & Anr.	 Respondents

Mr. Vaibhav Ugle for the Petitioner.
Mr. N.C. Walimbe, Addl.GP a/w Ms. Rupali Shinde, AGP for the
Respondent No.1-State.

**CORAM: SUMAN SHYAM &
SHYAM C. CHANDAK, JJ.**

DATED: 24th APRIL, 2026

PC:-

1. Heard Mr. Vaibhav Ugle, learned Counsel for the Petitioner and Mr. N.C. Walimbe, learned Addl.G.P for the Respondent – State.

2. The Petitioner herein had submitted his candidature for the post of Town Planner in response to the Advertisement dated 10th October, 2024 published by the Respondent No.2 – Maharashtra Public Service Commission. On 17th January, 2025 the Respondent No.2 had published another advertisement inviting Applications for various posts including the post of Assistant Professor in Government Engineering Colleges. In response to the said advertisement also, the Petitioner had applied. It was indicated by the Respondent No.2 that the date, time and venue of the

written/selection test will be intimated in due course. Accordingly, on 27th March, 2026 the Respondent No.2 has published the time-table for the written tests to be held for the aforesaid posts. According to the time-table, the written examination for the post of Assistant Professor would be held in between 09:00 a.m. to 10:00 a.m. on 27th April, 2026. The written test for the post of Town Planner would be held in between 12:00 noon to 01:00 p.m. on 27th April, 2026.

3. The Petitioner has approached this Court by filing the instant Writ Petition seeking a direction upon the Respondent No.2 to change the date of written examination of one of the aforementioned category of posts, on the ground that having both the written tests on the same day would pose enormous difficulty to the Petitioner due to the different syllabus involved in both the written tests.

4. Mr. Ugle, learned Counsel for the Petitioner submits that if the date of one of the written examination is shifted then, in that event, it will not only be convenient to the Petitioner but also for a large number of other candidates who must be the common Applicants for both the posts.

5. The prayer made in the Writ Petition has, however, been stoutly opposed by Mr. Walimbe, the learned Addl.G.P. appearing for the State by contending that date and time of an examination involving large number of candidates cannot be shifted at such short notice. He has also pointed out that the timing of the written tests, though fixed on 27th April, 2026, are different.

6. From the hall tickets produced by the Petitioner's Counsel for both the examinations, we find that the written examinations would be held for both the aforementioned posts in the same centre which is " iON Digital Zone IDZ Powai, Aurum IT Park, Morarji Nagar, near Hotel Ramada, Powai, Mumbai, Maharashtra, India, 400087 ".

7. After going through the materials placed before us, we also find that although the date of the written tests for the post of Assistant Professor as well as Town Planner are fixed on the same day i.e., 27th April 2026, yet, the time for both the tests do not clash. The written test for the post of Assistant Professor will be held from 09:00 a.m. to 10:00 a.m. whereas the written test for the post of Town Planner would be held in between 12:00 noon to 01:00 p.m. on 27th April, 2026. Since the exam centre for both the written tests is one and the same hence, it cannot be said that the exam schedule has been fixed in a manner so as to prevent the Petitioner from participating in both the written tests. Rather, it appears that the Respondent No.2 was not oblivious of the fact that there could be common candidates appearing in the written tests for both the category of posts and accordingly, has fixed the date, time and venue of the written exam.

8. In a matter of this nature, any order from this Court for shifting the date of the examination may pose difficulty not only to the organizers but also to several other candidates who are not present before the Court. Moreover, considering the different timings of both the examinations, we are unable to accept the submission of the Petitioner's Counsel that the present is a fit case

where the date of examinations should be shifted. In other words, we find no reason as to why, the Petitioner should have any difficulty in writing both the exams on the same day since the timings are different. It is the usual practice even for the students of schools and colleges to write exams in two different sessions on the same date involving different syllabuses/subjects. Therefore, merely because the syllabus of both the exams are different, cannot be a justifiable ground for this Court to interfere in the matter.

9. For the reasons discussed hereinabove, the Writ Petition is held to be devoid of any merit and the same is accordingly dismissed.

(SHYAM C. CHANDAK, J.)

(SUMAN SHYAM, J.)

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