

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

**REVIEW PETITION NO. 1 OF 2026
IN
PUBLIC INTEREST LITIGATION NO. 36 OF 2022**

The Registrar General

..Review Petitioner
(Original Respondent No.1
in PIL No.36/2022)

Versus

Vaijanath Pandurang Vaze & Anr.

..Respondents

**WITH
PUBLIC INTEREST LITIGATION NO. 36 OF 2022**

Vaijanath Pandurang Vaze

..Petitioner

Versus

The Registrar General,
High Court of Bombay & Anr.

..Respondents

Mr. Girish S. Godbole, Sr. Advocate a/w. S. R. Nargolkar for
Review petitioner.

Mr. Vaijanath P. Vaze, Respondent in person in RPI/1/2026 &
Petitioner in person in PIL/36/2022.

Mr. P. P. Kakade, Addl.G.P a/w. Mr. M. M. Pable, AGP and Mr. V. V.
Badgujar, AGP for State/Respondents.

**CORAM : BHARATI DANGRE &
SARANG V. KOTWAL, JJ.**

DATE : 27 FEBRUARY 2026.

PC :

1. The Registrar General of the High Court, Bombay has filed a Review Petition seeking modification of the directions contained in paragraph Nos.4 to 7 of the order dated 28.01.2026 passed in the Public Interest Litigation No.36 of 2022 and has prayed for substitution of the said directions appropriately, by directing submission of periodical information regarding recruitment of the Judicial Officers in the State of Maharashtra.

2. We have heard learned Senior Counsel Mr. Godbole for the review petitioner and perused the grounds in the petition.

Learned Senior counsel, would specifically urge that the directions contained in paragraph Nos.4 to 7 of the said order, travel beyond the scope of the judicial review of the administrative action as the process and the manner of the recruitment and the timeline for recruitment are within the exclusive administrative domain of the High Court Administration and is monitored by the Hon'ble the Chief Justice of the High Court and the committee of the Hon'ble Chief Justice headed by the senior administrative

Judge.

It is also the contention of Mr. Godbole that the Public Interest Litigation has been filed specially implementing the directions of the Hon'ble Apex Court in the case of *All India Judges' Association & Ors. Vs. Union of India & Ors.*¹ and accordingly, it is only the Apex Court which has judicial authority to deal with the implementation of the directions contained therein. It is also urged by him that, in the backdrop of the reliefs sought in the Public Interest Litigation, the Court was informed of the decision of the State Government to sanction the post of the Judicial officers, so as to provide adequate number of Judicial Officers and also the act of amending the Maharashtra Judicial Service Rules, 2008, and hence, the Public Interest Litigation itself deserves a disposal.

3. We have also heard Mr. Vaze the petitioner who would specifically submit before us that the Public Interest Litigation was filed by him, with a bonafide intention to take expeditious steps for sanction of the posts and for filling of the posts as because of

1 2002 (4) Supreme Court Cases 247

various vacancies at various levels in the judiciary, it had impacted the goal of administration of justice and according to him since justice delayed is justice denied, with a bonafide intention he sought the necessary direction in the Public Interest Litigation. Mr. Vaze do not dispute that pursuant to the filing of the Public Interest Litigation, steps have been taken for creation of the posts by the State of Maharashtra and he also do not deny the fact that the advertisement has been issued for filling 89 posts for District Judges by nomination.

4. When we expressed to Mr. Vaze that the appointment to the various posts in the judiciary is something more than merely appointment as the procedure is prescribed in the Maharashtra Judicial Service Rules, 2008 and the candidates, have to undergo scrutiny in the form of screening tests, to be followed by written test and they are further subjected to interview process. In so far as promotional posts are concerned, the confidential remarks (CR) and, as well as, the reflection of the conduct in the service record of the Judicial officer are specifically be looked into and this is a long drawn process, and therefore the solution to the issue raised, is not

available by way of magic wand.

Mr. Vaze concur with us as regards the fact that the Judicial Officers to be selected and appointed must fit into the criteria and must undergo the requisite procedure, which is prescribed by the Maharashtra Judicial Service Rules, 2008 and the candidates selected and appointed are the one who are worthy for the post, which they are to hold.

5. Mr. Vaze expressed before us that it was his bonafide attempt to ensure that the vacancies in the judicial cadre are filled in and at present he expressed his satisfaction towards the steps taken by the State Government. Since Mr. Godbole representing the Registrar General of the High Court of Bombay has made a statement that all efforts will be made to fill up the posts which are advertized, Mr. Vaze seeks withdrawal of the Public Interest Litigation, though, he want to reserve the liberty to knock the doors of the Court once again if the cause arises for him to do so.

In the light of submission of Mr. Godbole, we recall our order dated 28.01.2026 and specific observations made in paragraph Nos.4 to 7.

6. The Review petition is allowed.
7. The Public Interest Litigation is also disposed of as withdrawn.

(SARANG V. KOTWAL, J.)

(BHARATI DANGRE, J.)