

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10796 OF 2014

Abhay Chandrakant Khond ...Petitioner
Versus
The In-Charge Deputy Director & Anr. ...Respondents

WITH
WRIT PETITION NO. 10795 OF 2014
WITH
INTERIM APPLICATION (ST) NO. 376 OF 2026
IN
WRIT PETITION NO. 10795 OF 2014

Avinash Kondiram Wagh ...Petitioner
Versus
The Deputy Joint Director & Anr. ...Respondents

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Mr. Narendra Bandiwadekar, Senior Advocate, with Vinayak R. Kumbhar, Rajendra B. Khaire & Aniket S. Phapale, i/b Sagar A. Mane, for the Petitioners in both matters.
Ms. RA Salunkhe, AGP, for the Respondent-State in WP/10796/2014.
Ms. DS Deshmukh, AGP, for the Respondent-State in WP/10795/2014 and IAST/376/2026.

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

DATED: 21ST APRIL 2026.

PC:-

WRIT PETITION NO. 10795 OF 2014 WITH INTERIM
APPLICATION (ST) NO. 376 OF 2026:

1. When the matter was called out today, Ms. Deshmukh, learned AGP appearing for the Respondent-State has prayed for some time to prepare the matter on updated instructions and to argue the same on merits.
2. Mr. Bandiwadekar, learned Senior Counsel appearing for the Petitioner, on the other hand, has submitted that although the service of his clients are protected under an interim order of this Court, yet, due to pendency of this Writ Petition, the Petitioners have been deprived of the service benefits such as promotion, increment etc., which they are otherwise entitled to under the law.
3. Moreover, submits Mr. Bandiwadekar, learned Senior Counsel, that during the pendency of the Writ Petition the policy of the Government had itself undergone change, thus, permitting appointment on compassionate ground even in Group-A and Group-B category posts thereby eroding the entire basis of the impugned order. Therefore, submits the learned Senior Counsel, the Petitioners have a strong possibility of succeeding in the Writ Petition.
4. Having regard to the submissions made at the Bar, this matter be posted on 14th July 2026 for hearing along with connected Writ petition.
5. We hereby clarify that the pendency of this Writ Petition shall not be a bar for the authorities to extend service benefits which the Petitioners may be entitled to under the law, making the same subject to the final order that may be passed in the Writ Petition.

6. In view of the order passed above, the Interim Application is disposed of.

WRIT PETITION NO. 10796 OF 2014:

7. The Writ Petitioner is at liberty to file Affidavit in Rejoinder on or before 8th May 2026.

(SHYAM C. CHANDAK, J.)

(SUMAN SHYAM, J.)