

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION NO.825 OF 2024
WITH
INTERIM APPLICATION NO. 4018 OF 2025
WITH
INTERIM APPLICATION NO.1821 OF 2024
IN
WRIT PETITION NO. 825 OF 2024**

Jyoti Devrao Bharati

...Applicant

Versus

State of Government of Maharashtra

...Respondents

Ms. Seema Chopda for the Applicant/Petitioner.

Ms. Jaymala Ostwal, Addl. G.P for Respondent No.1.

Mr. Nitesh Bhutekar a/w Ms. Priyasha Patil and Ms. Sejal for Respondent No.2.

**CORAM : R. I. CHAGLA AND
ADVAIT M. SETHNA, JJ.**

DATED : 22ND JANUARY, 2026

PC.:-

1. By this Writ Petition the Petitioner is seeking a direction to the Respondent – Corporation to quash and set aside the illegal and arbitrary order dated 24 May 2023 of appointing Respondent No.3 on contractual basis as (Legal Advisor) and direct the Respondents to promote the Petitioner to the post of Chief Law Officer or as Legal Advisor being senior most and eligible employee, in the cadre of Law Officer.

2. The prayer in so far as quashing and setting aside the impugned order dated 24 May 2023 has become infructuous.

3. The Petitioner has filed several representations to the Respondent No.2. One such representation has been annexed to the Petition being representation dated 30 May 2023 requesting Respondent No.2 to cancel/revoke contractual employment of Respondent No.3 to the post of Legal Advisor and to appoint the Petitioner on the promotional post of Chief Law Officer. The grievance of the Petitioner is that until date the Respondents have not considered the representation of the Petitioner.

4. There are Interim Applications filed by the Petitioner seeking direction not to extend contractual engagement of Respondent No.3 which the Petitioner has alleged, is in violation of impugned Government Resolution dated 17 February 2016 and 10 June 2025 and also in regard to the objection raised by Audit Department, Nagpur, Maharashtra.

5. The Writ Petition as it stands, does not challenge the recent contractual engagement of Respondent No.3. In view of the representations not having been considered by the Respondents, Mr. Nitesh Bhutekar, learned counsel appearing for the Respondent No.2 states that Respondent No.2 will consider the representations of the Petitioners in time-bound manner and pass appropriate decision, after hearing the Petitioner. This statement is accepted.

6. In view of the above statement, the Petitioner is at liberty to file fresh representation within a period of one week from today apart from the representations already filed with Respondent No.2. The Respondent No.2

is directed to consider such representation of the Petitioner including the fresh representation within a period of four weeks from the date of receipt of fresh representation of the Petitioner.

7. The rights and contentions of the Petitioner in the Writ Petition as well as Interim Application are kept open to be urged before the Respondent No.2.

8. Upon a fresh decision being taken by Respondent No.2 on the representations including the fresh representation of the Petitioner which shall be filed within a period of one week from today, in the event the Petitioner is aggrieved by the decision so taken, liberty is granted to the Petitioner to file a fresh Writ Petition challenging the same.

9. The present Writ Petition is accordingly disposed of with no order as to costs. Interim Applications filed in the present Writ Petition do not survive and are also disposed of.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA, J.]