

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

WRIT PETITION (ST) NO. 2295 OF 2026

Dr. Amrut Anand Rankhambe

...Petitioner

Vs.

The State of Maharashtra and Ors.

...Respondents

Mr. Kishor Patil a/w Shrikant Patil, Arjun Pawar, Rohan Bhondave for the
Petitioner.

Mr. A.I. Patel, Addl. G.P a/w Tanu Bhatia, AGP for Respondent- State.

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

DATED : 27th JANUARY, 2026

PC.:-

1. This Writ Petition had been moved on the ground of urgency in view of what is stated in paragraph 4 (xxii) of the Petition. In the said paragraph, it is stated that it has come to the Petitioner's knowledge on 21 January 2026 that in view of proposal submitted by Respondent No.4 – The Dean, Lokmanya Tilak Municipal Medical College & Municipal General Hospital (LTMS) to fill up the regular sanctioned post on contractual basis, and in pursuance of the letter-cum-communication dated 6 October 2025 issued by Respondent No.5 – Accounts Officer of LTMS, the Respondent No.2 – Brihanmumbai Municipal Corporation (BMC) has issued direction to Respondent No.4 to initiate the process of issuing a fresh advertisement for filling up sanctioned post on contractual basis including of Assistant Medical Officer held by the Petitioner since the year 2016 on purely Ad-hoc

basis.

2. Mr. Patil, the learned counsel appearing for the Petitioner has referred to prior orders passed by this Court in case of Petitioners similarly situated as the present Petitioner being employees of the Corporation wherein, it has been held that the employer was directed not to discharge the service of the Petitioner in light of ***Meher Fatima Hussain vs. Jamia Milia Islamia and Ors.***¹. Accordingly, this Court has directed the Corporation not to dispense with the service of the Petitioner until the returnable date and to continue to pay salary.

3. Mr. Patil has accordingly submitted that the similar relief be granted in the present case considering that the Corporation has sought to dispense with the service of the Petitioner who has been occupying the post of the Assistant Medical Officer since the year 2016.

4. The Respondents have been served as is borne out from the Advocate's notices dated 23 June 2026. Mr. A.I. Patel, the learned Additional Government Pleader appears for the Respondent – State. However, the remaining Respondents have not entered appearance.

5. Mr. Patil has undertaken to file affidavit of service by 28 January 2026.

6. In view thereof, issue notice to Respondent Nos.2 to 5, returnable on 16 February 2026.

1. 2024 SCC OnLine SC 536 (Civil Appeal No.4963 of 2024)

7. In the meantime, Respondent No.2 – Corporation shall permit the Petitioner to continue in discharge of his duties as Assistant Medical Officer with payment of salary.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA, J.]