

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

WRIT PETITION NO. 1278 OF 2026

Bhagatsingh Deosing Rajput ...Petitioner
Versus
Kalyan Domvibali Municipal Corporation
Thru. Commissioner And Anr ...Respondents

Dr. Abhinav Chandrachud a/w Darshan Patankar i/b. Swapnil Shanbhag for
the Petitioner.

Mr. Sandeep D. Shinde, for the Respondent No.1.

Mr. H.D. Mulla, AGP for Respondent No.2 – State.

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

DATED : 29th JANUARY, 2026

PC.:-

1. By this Petition, the Petitioner is seeking quashing and setting aside of the impugned orders dated 1 October 2025 and 21 January 2026 issued by the Kalyan Dombivali Municipal Corporation (KDMC) qua the Petitioner and any other steps taken in furtherance thereof or pursuant thereto and restore the original Promotion Order dated 25 September 2025.

2. Dr. Abhinav Chandrachud, learned counsel appearing for the Petitioner states that the Petitioner is aggrieved by the impugned orders which, though having been signed by the Commissioner of the KDMC, the hearing of the Petitioner has been given/granted by the Department of Promotion Committee (DPC). He has submitted that Commissioner of

Respondent No.1 – Corporation should have heard the Petitioner and thereafter passed the order.

3. Dr. Chandrachud has referred to the order dated 7 October 2025 passed by the Division Bench in Writ Petition No.13099 of 2025 which had disposed of the Writ Petition filed *inter alia* by the Petitioner by directing the Corporation to issue notice to the Petitioner for hearing and upon hearing the Petitioner, pass reasoned order, on or before 15 November 2025 and serve the impugned order on both candidates, within three days of passing of the order. The candidates aggrieved by the order would be at liberty to avail of remedy as is permissible in law. The Division Bench of this Court had further been informed that the order of promotion of the Petitioner has not yet been cancelled and the Division Bench directed that the Petitioner would remain in the same position till the decision is taken.

4. Dr. Chandrachud has submitted that in view of the impugned orders/decision having been passed/taken, the protection granted to the Petitioner in Writ Petition No.13099 of 2025 ought to be continued.

5. The learned counsel appearing for the Respondent – Corporation has sought time to file affidavit-in-reply to the Writ Petition.

6. The Respondent – Corporation shall file their affidavit-in-reply to the Writ Petition within a period of three weeks from today.

7. The Petitioner is at liberty to file affidavit-in-rejoinder thereto within a period of one week thereafter.

8. Till the next date, the Respondent – Corporation shall continue the Petitioner in the same position.
9. The Writ Petition shall be placed for consideration on 9 March 2026.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA, J.]