

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 Dilip Shinde, for Respondent No. 1.
Mr. Sachin H. Kankal, AGP for Respondent No. 2 - State.

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

DATED : 15th APRIL, 2026

PC.:-

1. Having heard learned counsel appearing for the parties, we have perused the Government Resolution dated 20 April 2023, which provides for 4% reservation for persons with disabilities in promotions in government departments. At the time of issuance of the said Government Resolution, the lowest rung of Group 'A' comprised of the post of Executive Engineer (Civil), and as per the G.R., if the lowest rung of a Group 'A' post was identified, it would be considered suitable for appointment of a disabled candidate. Admittedly, the petitioner is a disabled candidate.
2. Further, when the circular dated 31 August 2024 was issued, there

was one seat reserved for the post of Executive Engineer (Civil) for a disabled candidate for promotion.

3. The Respondent No. 2 – State issued a Government Resolution dated 8 July 2024 upgrading the post of Deputy Engineer from Group ‘B’ to Group ‘A’. This appears not to have taken into consideration the earlier Government Resolution, which recognized the suitability of the post of Executive Engineer (Civil), forming part of the lowest rung of Group ‘A’, for disabled candidates.

4. The Respondent No. 2 - State is required to file an additional affidavit wherein they would require to state the position of disabled candidates who were earlier eligible to occupy the post of Executive Engineer (Civil). By upgrading the post of Executive Engineer (Civil) which would no longer be in the lowest rung of Group ‘A’ what would be the position with regard to the disabled candidates who were earlier fit to occupy such post.

5. The Respondent No. 2 – State shall file their additional affidavit within a period of two weeks from today.

6. The earlier orders, which continued the petitioner’s appointment in the same position occupied prior to the revocation order, i.e., the post of Executive Engineer (Civil), shall continue to operate.

7. Learned counsel appearing for Respondent No. 1 – Corporation, on instructions, states that the letter dated 25 September 2025 (Exhibit ‘K’ to the Petition), whereby Respondent No. 1 – Corporation accepted the

petitioner's joining as Executive Engineer (Civil), continues to operate. This statement is accepted.

8. The writ petition shall be placed for further consideration on **30 April 2026** to be shown on the Supplementary Board.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA, J.]