

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5068 OF 2026

Vishnu Trimbak Warungase & Ors.Petitioners

Versus

The State of Maharashtra & Ors.Respondents

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Mr. A. Y. Sakhare, Senior Advocate a/w. Mr. Rameshwar N. Gite and Mr. Sandesh S. Shinde, for the Petitioners in WP No.5068/2026.

Ms. Kavita D. Vijapure, for the Petitioner in WPST No.10652/2026.

Mrs. Neha S. Bhide, GP a/w. Mr. P. P. Kakade, Addl. GP and Ms. Gauri R. Raghuwanshi, AGP for the Respondent No.1– State.

Mr. Rajesh S. Datar, for Respondent Nos.2 and 3.

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CORAM : RAVINDRA V. GHUGE

&

HITEN S. VENEGAVKAR, JJ.

DATE : 17th APRIL, 2026

P.C.:

1. The order dated 17/04/2026 passed by the First Court, reads as under:

“This writ petition impleads one of us (Chief Justice) as a party respondent.

2. Let the matter be posted before a Bench headed by Hon’ble Justice Ravindra V. Ghuge at 3:00 p.m. today, i.e. 17th April 2026.”

2. This matter has been placed on the Production Board of this Court in the light of the above order. We have briefly heard the learned Senior Advocate on behalf of the Petitioners.

3. On instructions, the Petitioners desire to delete Respondent No.2 and modify the description of Respondent No.4.

4. Leave granted. Deletion to be carried out forthwith. Correction be carried out to indicate Respondent Nos.3 and 4, renumbered as Respondent Nos.2 and 3. Correction in the description of Respondent No.3 (earlier Respondent No.4) be carried out forthwith.

5. Re-verification is dispensed with.

6. **Issue notice to the Respondents**, returnable on **12/06/2026 at 03:00 p.m.**

7. Ms. Bhide, the learned Government Pleader waives service of notice on behalf of Respondent No.1-State and Mr. Datar, the learned Advocate waives service of notice on behalf of

Respondent Nos.2 and 3.

8. The Respondents shall ensure that the affidavits in reply are filed on or before 02/05/2026 and copies are served on the colleague Advocates. Rejoinder affidavit, if any, can be filed even in vacation on or before 21/05/2026. Thereafter, the Petitioners would carry out corrections in the pagination, if there is any discrepancy after the filing of the affidavits of the Respondents and arrange the pagination by listing the affidavits date-wise, in continuation with the Petition Paper-Book. This exercise be completed until 03/06/2026.

9. Parties to note that if time permits, this matter would be heard finally on the returnable date.

10. For the present, we are not granting any interim relief to the present Petitioners. This would be an issue to be considered only after the pleadings are complete and the above exercise is done.

11. We are informed that another Writ Petition (ST) No.10652 of 2026 has been filed, which is co-related to the subject

before us in this Petition. On request of the learned Advocate for the Petitioner, list the said Writ Petition (ST) No.10652 of 2026, along with this Petition, on 12.06.2026.

12. The learned Advocates appearing for the present Petitioners and the Respondents, waive service of notice on behalf of the Respondents in Writ Petition (ST) No.10652 of 2026.

(HITEN S. VENEGAVKAR, J.)

(RAVINDRA V. GHUGE, J.)

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