

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO. 7669 OF 2023**

Nitin Babgonda Patil ...Petitioner  
*Versus*  
State of Maharashtra through Secretary of Law  
and Judiciary Dept and Anr ...Respondents

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**Dr Uday Warunjikar, i/b Siddhesh Pilankar, for the Petitioner.  
Mrs AA Purav, AGP, for the Respondent-State.**

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**CORAM G. S. Patel &  
Neela Gokhale, JJ.  
DATED: 23rd June 2023**

**PC:-**

1. The 2nd Respondent is the Maharashtra Public Service Commission (“MPSC”). The challenge is to its order or inaction. The Petitioner claims to have a disability of 40% and on that basis applied for the post of Assistant Public Prosecutor (Group A). He appeared for the exam and qualified and on 17th May 2023 received an interview letter. However, the 2nd Respondent did not allow the Petitioner to appear for the interview on the ground of non-submission of the disability certificate. When the Petitioner made a representation, this was apparently rejected. The Petitioner has this disability not recently but for the last 35 years.

2. We require the MPSC to be represented by Wednesday, i.e., 28th June 2023.
  
3. In the meantime, on the basis of this order and so as not to prejudice the Petitioner, the Petitioner will be permitted to be interviewed on Monday, i.e., 26th June 2023. The results of the Petitioner's interview are not to be declared till the next date of hearing. The Petitioner will not be entitled to claim any equity on the basis that he was allowed to be interviewed. The results of the interview are subject to further orders in this Petition.
  
4. List the matter on 28th June 2023.

(Neela Gokhale, J)

(G. S. Patel, J)