



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6736 OF 2023

Rohini Prabhakar Kamble & Ors.

..Petitioners

*Versus*

The State of Maharashtra,  
through the Secretary,  
Law and Judiciary Dept. & Anr.

..Respondents

WITH  
WRIT PETITION NO.6746 OF 2023  
WITH  
WRIT PETITION NO.6911 OF 2023  
WITH  
WRIT PETITION NO.8421 OF 2023  
WITH  
WRIT PETITION NO.6994 OF 2023  
WITH  
WRIT PETITION NO.7047 OF 2023  
WITH  
WRIT PETITION NO.7048 OF 2023  
WITH  
WRIT PETITION NO.7046 OF 2023  
WITH  
WRIT PETITION NO.7045 OF 2023  
WITH  
WRIT PETITION NO.7106 OF 2023  
WITH  
WRIT PETITION NO.14907 OF 2022  
WITH  
INTERIM APPLICATION NO.7889 OF 2023  
IN  
WRIT PETITION NO.14907 OF 2022

Mr. Nikhil Patil a/w Mr. Gajanan D. Shinde for the Petitioner in WP Nos.6746/2023 and 6911/2023.

Dr. Uday P. Warunjikar a/w Mr. Sumit S. Kale for the Petitioner in WP Nos.6736/2023, 7045/2023 and 7106/2023.

Mr. Ashutosh M. Kulkarni a/w Mr. Siddharth Shitole i/b. for the

Respondent (MPSC).

Mr. Rahul Nerlekar for Respondent No.3 High Court (in all Writ Petitions).

Mr. N. C. Walimbe, Addl. G. P. a/w. Ms. Kavita N. Solunke, AGP for the Respondent (State).

Mr. Vijendra Mishra for the Petitioner in WP/6994/2023.

Mr. Prasad Avhad for the Petitioner in WP/7047/2023.

Mr. Somanath Kale i/by Mr. Nikhil Adkine for the Petitioner in WP/7046/2023.

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**CORAM : A. S. CHANDURKAR &  
JITENDRA JAIN, JJ.**

**DATE : 23<sup>rd</sup> FEBRUARY 2024**

**RC.:**

1. In these writ petitions, challenge raised by the Petitioners is to the provisions pertaining to fixing the age of a candidate as on date of publication of the advertisement published by the Maharashtra Public Service Commission (for short 'MPSC'). The advertisement in question is dated 19<sup>th</sup> May 2023 that has been issued by the MPSC for filling up 114 posts of Civil Judge Junior Division and Judicial Magistrate First Class.

2. While issuing notice in these writ petitions, interim order dated 12<sup>th</sup> June 2023 came to be passed in Writ Petition Nos.8421, 7106, 7045, 7046, 7048, 7047, 6994, 6911 of 2023 and 14907 of 2022. By that interim order though the Petitioners were permitted to participate in the recruitment process, the same was made subject to the outcome of

the writ petitions with a further direction that the result of the Petitioners shall not be declared without further orders of this Court. There was no interim relief granted in Writ Petition Nos.6736 and 6746 of 2023.

3. Today request is made on behalf of the MPSC that the results of the examination that was held on 9<sup>th</sup> September 2023 be permitted to be declared as MPSC has not declared any of the results in view of pendency of the writ petitions.

4. We find that the request as made to be reasonable. At the same time steps would have to be taken to the balance rights of the parties.

5. Accordingly, the MPSC is permitted to declare the results of the examination conducted on 9<sup>th</sup> September 2023 including the results of the present Petitioners. Put up on **8<sup>th</sup> March 2024** to enable the MPSC to indicate as to which of the Petitioners have cleared the preliminary examination. The prayer for interim relief would be thereafter considered.

6. Parties to act on the authenticated copy of this order.

(JITENDRA JAIN, J.)

(A. S. CHANDURKAR, J.)