

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

WRIT PETITION NO.6911 OF 2023

Neha Ravishankar Dave .. Petitioner
Vs.
The State of Maharashtra,
Through Law & Judiciary Dept. and Ors. .. Respondents

ALONG WITH

WRIT PETITION NO.6746 OF 2023

Santosh Bhupal Kagawade and Ors. .. Petitioners
Vs.
The State of Maharashtra,
Through Law & Judiciary Dept. and Ors. .. Respondents

ALONG WITH

WRIT PETITION NO.6994 OF 2023

Babita Usha Kesharwani @
Babita Ramkhilaran Kesharwani .. Petitioner
Vs.
The State of Maharashtra,
Through Law & Judiciary Dept. and Ors. .. Respondents

ALONG WITH

WRIT PETITION NO.14907 OF 2022

Neha Ulhas Pathak and Ors. .. Petitioners
Vs.
Maharashtra Public Service Commission and Ors. .. Respondents

ALONG WITH

WRIT PETITION NO.7045 OF 2023

Varsha Saudagar Jagtap and Ors. .. Petitioners
Vs.
The State of Maharashtra,
Through Law & Judiciary Dept. and Ors. .. Respondents

ALONG WITH

WRIT PETITION NO.7047 OF 2023

Nikita Deepakrao More and Ors. .. Petitioners
Vs.
The State of Maharashtra,
Through Law & Judiciary Dept. and Ors. .. Respondents

Mr. Nikhil Patil with Mr. Gajanan Shinde, Ms. Nafisa Asarwala and Ms. Rohini B. Kadam, Advocates for the Petitioners in WP/6911/2023 and WP/6746/2023.

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

Mr. Sumit Kate, Advocate for the Petitioners in WP/14907/2022 and WP/7045/2023.

Mr. Prasad Avhad, Advocate for the Petitioners in WP/7047/2023.

Mr. N.C. Walimbe, Additional Government Pleader, with Ms. Kavita N. Solunke, Assistant Government Pleader, for the Respondent-State of Maharashtra in all the Petitions.

Mr. Ashutosh Kulkarni with Mr. Siddarth Shitole, Advocates for the Respondent-MPSC in all the Petitions.

Mr. Rahul Nerlekar, Advocate for the Respondent-High Court in all the Petitions.

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 5TH JULY, 2024.

PC. :

1. Our attention is invited to the order dated 1st July 2024 passed in Writ Petition No.3569 of 2023 (*Prashant S/o. Uttam Tapare and Ors. Vs. State of Maharashtra, through its Secretary, Department of Law and Judiciary, Mantralaya, Mumbai and Ors.*), along with connected Petitions, at the Nagpur Bench. By the said interim order, the petitioners therein were permitted to appear for the main examination for the post of “Civil Judge Junior Division and Judicial Magistrate First Class” scheduled on 24th August 2024.

2. The learned counsel for the petitioners seek a similar interim direction. This prayer is not opposed by the learned counsel for the respondents in the light of the aforesaid order.

3. Accordingly, for reasons indicated in the order dated 1st July 2024 referred to hereinabove, the following directions are issued :-

- (i) We permit the petitioners to apply for appearing in the main examination for the post of “Civil Judge Junior Division and Judicial Magistrate First Class” scheduled on 24th August 2024 in pursuance of the advertisement dated 21st June 2024.
- (ii) We further direct that if it is found that the petitioners are otherwise eligible, Maharashtra State Public Service Commission shall process their applications and allow them to participate in the main examination provisionally.
- (iii) We further direct that such participation shall, however, be without any prejudice to the rights and contentions of the respondents in the present Writ Petitions and that no equity shall be claimed by the petitioners at the time when the Petitions would be considered for final disposal.

- (iv) The Maharashtra State Public Service Commission shall take necessary steps in accordance with the interim directions.
- (v) An authenticated copy of this order be provided to the learned Assistant Government Pleader to act upon.
- (vi) The respondent – MPSC is at liberty to circulate the matters if occasion arises.

4. Put up for further consideration on 5th September 2024.

5. It is submitted by Mr. Ashutosh Kulkarni, learned counsel appearing for the respondent-MPSC that a request would be made for clubbing all similar matters pending at the Principal Seat as well as at the Benches for being heard together.

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

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]