

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 13955 OF 2024

Yogesh S. Alhat

...Petitioner

Versus

Pimpri Chinchwad Municipal Corporation

Thr. Its Commissioner & Ors.

...Respondents

Mr. Akshay Karlekar for the Petitioner.

Mr. Kedar Dighe for Respondent Nos.1 and 2.

Mr. P. P. Kakade, Addl.GP a/w K. S. Thorat, 'B' Panel for Respondent No.3-
State.

Mr. Rahul Kadam a/w Vedant B. for Respondent No.4.

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

DATED : 30TH MARCH, 2026

P.C.:-

1. Heard learned counsel for the parties. Perused the impugned order dated 23 September 2024 which had been issued by Respondent No.3-Urban Development Department, State of Maharashtra. By the impugned order the Respondent No.1-Corporation sought permission for allowing absorption of Respondent No.4 as Deputy Engineer (Environment). *Prima facie*, it appears that this is contrary to the Recruitment Rules and service conditions implemented by Respondent-Corporation which only permitted promotion to the said post and not absorption. Accordingly, such position is required to be reconsidered by Respondent No.3-State. This would be by way of interim relief/order passed by this Court, particularly considering

that by the impugned communication dated 23 September 2024, Respondent No.3-State has merely mentioned that this is a one time measure/case.

2. In the affidavit-in-reply of Respondent No.3-State, Respondent No.3 has stated in paragraph 15 that absorption of Respondent No.4 from date of promotion has been approved by the State as a special measure after considering the Master's Degree in Environment obtained by Respondent No.4 at the expense of the Respondent-Corporation and that he worked at the "Environmental Engineering Cell" established in a Municipal Corporation from 2009 to 2013.

3. In light of the above, the Respondent No.3-State shall hear the Petitioner as well as Respondent No.4 and the Respondent-Corporation and pass a reasoned order on the issue of absorption of Respondent No.4 in the post of Deputy Engineer (Environment) from the date of promotion and shall also take into account the Application for permission which has been made by Respondent No.4-Corporation, in this regard.

4. The impugned communication dated 23 September 2024 is accordingly kept in abeyance. The above exercise shall be carried out by Respondent No.3-State after hearing the aforementioned parties and then pass a reasoned order in furtherance of and/or in variance of, as the case may, of the impugned letter dated 23 September 2024, within a period of four weeks from the uploading of this order.

5. The Writ Petition shall be placed for further consideration on **4 May 2026**. The Respondent No.3-State shall on the adjourned date submit before this Court the fresh order which shall be passed pursuant to these directions.

6. It is clarified that in the event the Respondent-Corporation fills up the post of Joint City Engineer (Environment), this shall be subject to the outcome of the present Petition.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA, J.]