

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

WRIT PETITION NO. 13566 OF 2025

Dr. Mukesh Kumar Jha

...Petitioner

Versus

The State of Maharashtra

Through its Principal Secretary,

General Administration Department And Ors.

...Respondents

Mr. Kishor S. Patil i/b Mr. Shrikant Dinkar Patil & Mr. Arjun Sanjay Pawar,
Advocates for the Petitioner.

Ms. Priyanka Chavan, AGP for the State/Respondent Nos. 1 & 6.

Mr. Ravindra Shirsikar a/w Mr. Santosh Mali i/b Ms. Komal Punjabi,
Advocates for Respondent Nos. 2 to 5-BMC.

Ms. Bhavna Kowe, A.O. Sion Hospital is present in the Court.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 15th OCTOBER, 2025.

P.C. :

1. Issue notice to the Respondents, returnable on **26th November, 2025**. The learned AGP waives service of notice on behalf of the State-Respondent Nos. 1 & 6 and Mr. Ravindra Shirsikar, the learned Advocate waives service of notice on behalf of Respondent Nos. 2 to 5.
2. Let the Affidavit-in-Reply be filed by the contesting Respondent, at least 10 days prior to the returnable date.
3. The Petitioner is working as a doctor on ad-hoc basis for the

last 18 years. The appointment order is placed on record. The payment of salary has been stopped since September, 2025 and on 13th October, 2025, when the Petitioner sought for the payment of salary, he was orally informed by the Corporation that now the Petitioner would be replaced with a contractual employee. In similar circumstances, this Court [Coram : *Shree Chandrashekhar (as His Lordship then was) and Manjusha Deshpande, J.J.*] has passed an order on 23rd July, 2025 in Writ Petition No. 10074 of 2025 (***Roshni Patil v/s. The State of Maharashtra and Others***), wherein the employer was directed not to discharge the service of Petitioner in the light of ***Meher Fatima Hussain v/s. Jamia Milia Islamia and Others***¹. We, therefore, direct the Corporation not to dispense with the service of Petitioner until the returnable date and continue to pay the salary.

4. All office objections to be removed on or before 13th November 2025, failing which, this Petition would stand dismissed without reference to the Court, on 14th November, 2025.

[ASHWIN D. BHOBE, J.]

[RAVINDRA V. GHUGE, J.]

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1. 2024 INSC 303 (Civil Appeal No. 4963 of 2024).