

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY***

***ORDINARY ORIGINAL CIVIL JURISDICTION***

***NOTICE OF MOTION (L) NO.352 OF 2018***

***IN***

***WRIT PETITION (L) NO. 1485 OF 2018***

Municipal Corporation of Greater Mumbai ..Applicant.

IN THE MATTER BETWEEN

Ms.Shakuntala Sheena Shety ..Petitioner

V/s.

Maharashtra Public Service Commission & Ors. ..Respondents.

***NOTICE OF MOTION (L) NO.353 OF 2018***

***IN***

***WRIT PETITION (L) NO. 1576 OF 2018***

Municipal Corporation of Greater Mumbai ..Applicant.

IN THE MATTER BETWEEN

Vijaymala Mahadeo Pawar ..Petitioner

V/s.

Maharashtra Public Service Commission & Ors. ..Respondents.

***NOTICE OF MOTION (L) NO.354 OF 2018***

***IN***

***WRIT PETITION (L) NO. 1463 OF 2018***

Municipal Corporation of Greater Mumbai ..Applicant.

IN THE MATTER BETWEEN

Mrudula Laxmikant Ande ..Petitioner

V/s

State of Maharashtra & Ors. ..Respondents.

Mr.S.B.Talekar, Mr.V.S.Sangvikar, Ms.Madhavi, Ms.Ayyapan I/b.  
M/s. Talekar & Associate for the petitioner in WPL/1463/2018.

Mr.N.P.Dalvi for respondent Nos.1 & 2.

Mr.S.S.Pakale with Ms.Trupti Puranik for respondent No.3-MCGM.

Ms.Gauri Godse for petitioner in WPL/1485/18.

Mr.Kiran Bapat with Ms.Chaitanya Nikte for petitioner in  
WPL/1576/2018.

**CORAM : SHANTANU KEMKAR AND  
NITIN W.SAMBRE, JJ.**

**DATE : JUNE 28, 2018.**

**P.C.:-**

On May 3, 2018 this Court passed following order  
which reads thus :-

*“ Leave to amend the petition is granted. Amendment to be  
carried out by tomorrow.*

*2. Heard learned Counsel for the petitioner on question of  
admission.*

*3. Issue notice to the respondents. Learned AGP waives notice on  
behalf of respondent Nos.1 and 3. Learned counsel waives notice on  
behalf of respondent No.2.*

*4. Learned counsel seeks time to file reply. Four weeks time*

*as prayed for, is granted.*

5. *By way of interim order we direct respondent Nos.1 and 3 to permit the petitioner in ensuring interview to be held on 4<sup>th</sup>, 5<sup>th</sup> May, 2018 for the post in question. However, the result of the interview shall not be declared without the leave of the Court.*

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

7. *Stand over to 7<sup>th</sup> June, 2018.”*

2. The respondent Municipal Corporation has filed the present Notice of Motion seeking directions to the effect that the M.P.S.C. be permitted to declare the result of the selection process in question conducted by it.

3. Having heard the learned counsel for the petitioners as also the learned counsel for the MPSC and the Municipal Corporation, we are of the view that the impugned order passed on May 3, 2018 needs to be modified and is modified to the extent by directing the M.P.S.C. to declare the result of the selection process conducted by it in respect of the posts of the Assistant Municipal Commissioner. However, on the basis of such declaration, the Municipal Corporation while issuing the

appointment order shall make it specifically clear in the appointment order of the candidates who will be appointed, that their appointments will be subject to the outcome of these petitions and they will not be entitled to claim any right and equity on the basis of it. The M.P.S.C. is accordingly permitted to forward the names of the selected candidates to the Municipal Corporation.

3. Needless to state that if the petitions are found suitable and selected, their names be also forwarded by the M.P.S.C. for further process to be done by the Municipal Corporation.

4. List the petition in the last week of September, 2018.

*(NITIN W. SAMBRE, J.)*

*(SHANTANU KEMKAR, J.)*