

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION NO. 582 OF 2018  
WITH  
INTERIM APPLICATION (L) NO. 25482 OF 2024  
IN  
WRIT PETITION NO. 582 OF 2018**

Vishwajit Dinkar Pawar & Ors. ...Petitioner

*Versus*

Municipal Corporation of Greater  
Mumbai & Ors. ...Respondents

**WITH  
WRIT PETITION NO. 2209 OF 2024**

Vibhas Vijay Acharekar ...Petitioner

*Versus*

Municipal Corporation of Greater  
Mumbai & Ors. ...Respondents

Ms. Anjali Purav, Advocate for the Petitioners in WP/582/2018 &  
for Respondent No.28 in WP/2209/2024.

Mr. Mihir Desai, Senior Advocate a/w Ms. Rishika Agarwal,  
Advocate for the Petitioner in WP/2209/2024.

Mr. P.M. Palshikar a/w Ms. Shilpa Redkar, Mr. Shivprasad Borade,  
Advocate for Respondent – Corporation in WP/2209/2024.

Ms. Perna Gandhi a/w Ms. Sayali Sawant, Mr. Ashish Shahapurkar,  
Advocate for Respondent Nos.9 to 11 & 13 to 17 in WP/2209/2024.

**CORAM : RAVINDRA V. GHUGE  
&  
M.M. SATHAYE, JJ.**

**DATE :- 7th OCTOBER, 2024**

**PER COURT :-**

1. On the request of learned Advocates for respective sides, we have perused the order of this Court, dated 18<sup>th</sup> July, 2024 passed in Writ Petition No.2209 of 2024. For clarity, we are reproducing Paragraph Nos. 2 and 3 of the said order, hereunder :

*“2. The learned Senior Advocate appearing for the Petitioner states that a notice is received from the Joint Municipal Commissioner on 22 June 2024 that process might be initiated to fill up the posts of Chief Engineer from 22 July 2024. The learned counsel for the Petitioner seeks direction to restrain the Respondents – Corporation from filling up the post.*

*3. The learned counsel for the Respondents – Corporation states that no interim-relief is warranted as what is stated in the notice is only an indication of likelihood of initiation of process and in any case no appointment to the post of chief Engineer would be made till the next date as the procedure would take some time. In the light of this statement made, which we accept, no further orders are required.”*

2. There is no dispute before us that there are four posts for which the selection process had to be conducted and which is now completed. Out of these four posts, two are reserved for the handicapped category. There is a consensus before us that these two posts and one more post out of the remaining two, in all three posts, can be filled in by the BMC in terms of the selection process that

has been conducted. Only one post, excluding the two reserved for the handicapped category, will not be filled in until further orders.

3. The Respondent Nos. 9 to 11 and 13 to 17 in Writ Petition No. 2209 of 2024, desire to file affidavit-in-reply within two weeks. Let such affidavit-in-reply be filed on or before 21<sup>st</sup> October, 2024 with proper pagination in continuation with the Writ Petition.

4. List these matters on 13<sup>th</sup> November, 2024. If time permits, these matters would be heard finally at admission stage.

**(M.M. SATHAYE, J.)**

**(RAVINDRA V. GHUGE, J.)**