

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) Nos. 15452-15461/2023

(Arising out of impugned final judgment and order dated 01-08-2022 in WP No. 6999/2017, WP No. 6987/2017 WP No. 6993/2017 WP No. 6997/2017 WP No. 7009/2017 and 24-02-2023 in RP No. 122/2022 RP No. 123/2022 RP No. 11/2023 RP No. 124/2022 RP No. 125/2022 passed by the High Court of Judicature at Bombay)

DR. MAHESHKUMAR NARSINGRAO YENKIE ETC.

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS.

Respondent(s)

(IA No. 121012/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 121013/2023 - EXEMPTION FROM FILING O.T. and IA No. 121016/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 121015/2023 - PERMISSION TO FILE LENGTHY LIST OF DATES)

Date : 15-10-2024 This matter was called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE RAJESH BINDAL**

For Petitioner(s)

**Mr. A.I.S Cheema, Sr. Adv.
Mr. Kunal Cheema, AOR
Mr. Shubham Chandankhede, Adv.
Ms. Kriti Sharma, Adv.**

For Respondent(s)

**Mr. Varad Kilor, Adv.
Mr. Aaditya Aniruddha Pande, AOR

Mr. Sudheer Voditel, Adv.
Mr. Ravindra Bana, AOR**

**UPON hearing the counsel the Court made the following
O R D E R**

- 1) The present special leave petitions are arising out of common

order dated 01.08.2022 passed by the High Court of Bombay disposing the writ petitions filed by the petitioners, relying upon the order dated 06.06.2017 passed by the Division Bench of the High Court of Bombay, Bench at Aurangabad, in Writ Petition No.7831/2016 (*Prof. Dr. Yeshwant Kondji Khillare and Others v. State of Maharashtra and Others*) and connected writ petitions, and disposing of the review petitions in those writ petitions.

- 2) SLP (C)No. 18009/2017 filed against the relied upon judgment dated 06.06.2017 in Writ Petition No. 7831/2016, was dismissed *vide* order dated 21.07.2017.
- 3) In view of the said facts, we cannot take a different view, accordingly, the present special leave petitions are also deserved to be dismissed.
- 4) Learned senior counsel appearing for the petitioners has insisted to grant salary for the period during which the petitioners continued to work in the post. However, looking to the nature of

the interim order passed by the High Court, in our view, the petitioners have rendered services by their own volition with clear understanding that they shall not claim any salary if petition is dismissed, therefore, we repel the said contention. Accordingly, as discussed above, the special leave petitions are dismissed. Pending application(s), if any, shall stand disposed of.

(NIDHI AHUJA)
AR-cum-PS

(NAND KISHOR)
COURT MASTER (NSH)