



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

WRIT PETITION NO. 13357 OF 2026

Amit Balu Supekar Anr

...Petitioners

Versus

State Of Maharashtra & Ors

...Respondents

Mr. Ramesh Dube Patil a/w Ankit Patil, Irra Dube Patil, Arnav U, Shraddha Dube Patil, Ashish G, Lisa Das, Vivek Yadav, Zaid Khan for the Petitioner.

Mr. Milind Sathe, AG a/w. Neha Bhide, GP, S. Hirey, PP (Criminal Side), O. A. Chandurkar, Addl. GP, G. R. Raghuwanshi, AGP

Mr. Mayur Khandeparkar a/w. Mr. Jigar Parmar i/b. Advait Tanshankar, Padmaja Malgaonkar for the Respondent No. 3

Mr. Manish Kelkar for the Respondent No. 4

Mr. Abhishek Karnik a/w. Mr. Onkar Wable for the Respondent No. 5
Prashant Amrutkar, DCP present.

**CORAM : MAHESH CHANDRA TRIPATHI, CJ. &
ADVAIT M. SETHNA, J.**

DATE : 7th OCTOBER, 2026.

P.C.:

1. Heard learned Counsel for the parties.
2. The core issue that confronts us relates to the protests / agitations which are taking place in the city of Pune against alleged malpractices in the Maharashtra Public Service Commission, (“MPSC” for short) Drug Inspector recruitment examinations.
3. On 6th October 2026 at the time of mentioning of this matter, we

had made a request to Dr. Milind Sathe, learned Advocate General to assist the Court in this matter. Today, when the matter is called out, Dr. Sathe has appeared with instructions along with the list of dates and events, which are taken on record.

4. Dr. Sathe submits that initially, the representatives of the affected candidates/agitating students had submitted four demands to the Police Commissioner, Pune, vide a communication dated 24th September 2026. The first being the resignation/removal of the Chairman of MPSC Commission as per Article 317 of the Constitution of India. The second demand relates to conduct of the recruitment process for about 70,000 vacant posts as claimed by one of the Respondents, immediately. The third demand is to cap the maximum fee for appearing for all MPSC exams at Rs. 100, on par with the State of Rajasthan. The fourth demand is that all MPSC exams should be conducted offline.

5. Dr. Sathe contends that subsequently on 30th September 2026, a meeting was held between the student representatives and the Hon'ble Chief Minister, wherein the student representatives had agreed to withdraw the agitation on being assured that their demands will be fulfilled. He states that so far as the second, third and fourth demands as noted above are concerned, the State Government has, in principle, already agreed to fulfill the same and all serious efforts are going on to

fill up the vacancies as indicated. He submits that the concerned departments/authorities have been communicated of the same, indicating the total vacancies so that the process of filling up such vacancies can be proceeded further.

6. Dr. Sathe would urge that *qua* the first demand, regarding removal of Chairman of MPSC Commission, there is a detailed procedure provided under Article 317 of the Constitution of India. The State has acted pursuant thereto and already made a representation to the Hon'ble Governor in this regard. He submits that, at present, the endeavor of the State is to ensure that the vacancies are filled up in accordance with law and in a fair and transparent manner.

7. Regarding the protest/agitation in the city of Pune, Dr. Sathe submits that initially, the student representatives and the authorities had arrived at an agreement, on the basis of assurance of the Hon'ble Chief Minister and accordingly, the protest/agitation was recalled by them. He submits that there two alternate sites that were available for their protests/agitation. However, pursuant to the meeting held on 30th September 2026, on account of amicable settlement between the parties, no further permission was sought for any kind of protest/agitation. In spite of the same, the protest/agitation has surfaced once again, which is without any permission from the authorities concerned. He submits that

the police has demonstrated a matured and restrained approach in dealing with the protestors/agitators. However as the protests are also taking place on roads/bridges among other public places where no permission is obtained, people are put to great hardship and inconvenience.

8. Mr. Mayur Khandeparkar, learned Counsel for the Respondent No. 3 states that Respondent No. 3 claims to be a proprietor of a coaching center in Pune. He contends that even though initially the protest/agitation was being done with permission, subsequently, there was no availability of any designated protest sites. However, he submits in case it is required, they will certainly request for a suitable alternate site from the concerned authorities of the State for their protest/agitation. He also assured the Court that no inconvenience will be caused to the general public as far as Respondent No. 3 is concerned. He further submits that he is not a torch bearer of the protest/agitation, which involves many stakeholders and therefore, he is not in a position to make any statement on behalf of the others involved in such protests.

9. Mr. Khandeparkar further submits that certain FIRs were also registered in connection with the leak of the MPSC Drug Inspector recruitment examination. However, no effective steps/action have been taken against such persons, who are the main culprits. As such,

according to him, there is no progress in the criminal proceedings.

10. Mr. Manish Kelkar, learned Counsel for the Respondent No. 4 claims to represent a student. However, today, he could not divulge any details regarding the credentials of the said Respondent including the details of the place/institution from where education is imparted to him. He submits that even though at present, Respondent No. 2 is carrying out Dharna/protest/agitation near the Ahilya Library, Pune, in case the administration facilitate a suitable alternative site, then he will certainly relocate to such place for the protest/agitation. He would also assure the Court that he will convey to the said Respondent that no inconvenience would be caused to the public, because of their agitation.

11. Mr. Abhishek Karnik, learned Counsel for the Respondent No. 5 submits on the instructions that the Respondent No. 5 has already withdrawn the agitation. Such statement is accepted

12. We have heard the learned Counsel for the parties.

13. At the outset, we may observe that Pune has profound historical and cultural significance. Moreover, it is popularly referred to as the “Oxford of East“. It is the center of learning and a home for not only for students pan India but also from different regions across the globe as the city has set high standards for excellence in education in diverse

spheres/areas. Parents of these children entrust in them their aspirations coupled with a genuine expectation that they would be the beneficiaries of high standards in education and emerge as responsible human beings, citizens, making our country and society proud of their pursuits.

14. Needless to mention, they do have a right of protests in a lawful and peaceful manner so as to ventilate their grievances and express their dissent, concerns which undoubtedly is a hallmark of a robust democracy as ours. Having heard Dr. Sathe, more particularly, in the context of most of the demands of the protesting students being under active consideration and being duly addressed, we have no doubt that the wheels in the State machinery, are already set in motion. *Prima facie*, it appears that their demands as noted above are being positively redressed by the State. In such situation it is imperative a sense of trust and assurance is instilled in them so as to inspire the confidence in them to return to their campuses/classes in furtherance of their goals, dreams, aspirations and pursuits.

15. As the matter is also *sub judice* and this Court has taken cognizance of the same, considering the submissions made at the Bar, we are hopeful that the genuine demands as raised by the students would be duly, properly and judiciously addressed by the Authorities concerned, within the four corners of law.

16. We cannot loose sight of an equally vital fact that the city of Pune, is a bustling commercial hub to a huge and diverse diaspora. As we are conscious of the right to peaceful and lawful protests, we expect that there would be no unnecessary impediments in the form of blockades on public spaces like bridges and roads that may adversely affect daily life of the Pune-kars. We cannot countenance a situation of a civil paralysis anywhere, let alone in the city of Pune, a concern which the Petitioner has also expressed in the proceedings. In this regard, the parties through their Advocates have positively reassured this Court on behalf of the respective Respondent/protestors who would continue their agitation in a lawful manner, in places/locations after obtaining proper permission from the Authorities so as to maintain normalcy in the day to day life and activities, more particularly of the common man of Pune. Needless to mention that the State would take all reasonable steps to ensure that free flow of traffic on the roads, bridges, public spaces so that the public at large is not made to suffer any inconvenience or hassles in commuting and/or otherwise.

17. Prima facie, we find substance in the submission of Mr. Khandeparkar to the extent that accountability has to be fixed in the paper leak case. We expect that the State machinery would take all the steps necessary and expedient in this regard and act swiftly so as to ensure that justice is meted out and such situations do not re occur.

18. In light of our observations above, which at this juncture are of course *prima facie*, we find that the matter requires consideration. Accordingly, we issue Notice, returnable on 25th November 2026.

19. In the meantime, we direct the Respondent – State to furnish a detailed Affidavit-in-Reply within a period of three weeks from the date of uploading of this order, incorporating the following:

- (a) The total vacancies available in the State of Maharashtra for recruitment *vis-a-vis* the concerned department, as against the number of 70,000 as claimed by one of the Respondents.
- (b) Details as to the efforts undertaken by the State Government *vis-a-vis* the concerns of the students as indicated above.
- (c) The mode and the outer limit within which the subsequent examinations which will be held / conducted.
- (d) The details as to the progress made in the ongoing investigations in connection with the FIRs registered for alleged leak of the MPSC Drug Inspector recruitment examination.
- (e) The details as to what efforts have been made in regard to the representation submitted to the Hon'ble Governor under Article 317 Constitution of India.

20. The Affidavit-in-Reply be submitted on the next date, with advance copies to the parties to this proceeding.

21. Meanwhile, we also direct to the State to take all reasonable steps to ensure that free flow of roads may not be affected on account of an blockages due to protest/agitation.

22. Let the matter again be posted on **25th November, 2026**.

[ADVAIT M. SETHNA, J.]

[CHIEF JUSTICE]