

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4349 OF 2004

BALASAHEB VASANT GORE & ORS
VERSUS
STATE OF MAHARASHTRA & ORS

...

Advocate for Petitioner : Mr. Manish P. Tripathi
AGP for Respondents 1 to 3: Mr. A.R. Kale
Advocate for Respondent No.4 : Mr. R.V. Naiknavare

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**CORAM : A. V. NIRGUDE AND
V. K. JADHAV, JJ.**

DATED : 16th OCTOBER, 2015

P.C. :-

1. All the petitioners were working with Municipal Council, Osmanabad as daily wagers as class IV employees. By decision of the State Government dated 20.4.2001, the Director of Municipal Administrator permitted absorption of all such daily wagers in regular service of Municipal Councils in the State of Maharashtra. But in the said decision, it has been specifically mentioned that the persons working in class IV category as daily wagers would be absorbed in same category on the same post.

2. The petitioners assert that they possess higher qualification and ought to have been regularized in class III category. But the guidelines issued by the Government do not permit such action.

Once the petitioners become regular employees of the Municipal Council, they would be able to rise in hierarchy further as per the Rules of Municipal Council. The petition therefore, should fail and disposed of accordingly. Rule discharged.

(V. K. JADHAV, J.)

(A. V. NIRGUDE, J.)

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