

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

WRIT PETITION NO. 9431 OF 2013

Almas Begum Najakat Ali & Ors. .. Petitioners
Versus
Graded Head Master & Others .. Respondents

Mr.V.T. Chaudhary, Advocate for the petitioners.
Mrs.S.A. Dhumal, AGP for respondent/State.
Mr.R.N. Chavan h/f. Mr. Vijay Sharma, Advocate for
respondent Nos. 1 & 2.

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

DATED : 20.08.2015

P.C. :-

1. The petitioners are seeking appointment as Shikshan Sevak in Zilla Parishad School, where for last three years or so, they were working on honorarium basis. The petitioners have educational qualification of S.S.C. and D.Ed. They approached the Tahsildar requesting him to give them some job under Employment Guarantee Scheme or such other schemes. The Tahsildar advised them to go to Zilla Parishad School and work as primary school teacher on honorarium basis. They were offered honorarium of Rs.300/- per month. The petitioners accepted these jobs and continued to work. Admittedly, they were never appointed on regular basis after following due process of recruitment as per the provisions of the Zilla Parishad and Panchayat Samiti Act. After completing three years,

their so called service was terminated. They now claim that they should be appointed as Shikshan Sevak. They placed reliance on the judgment of this Court in the case of **Ram Avadh Mahel Pal Vs. Shivdutta Educational Trust & Ors., 2007(6) Bom.C.R.23** and unreported judgment of Bombay High Court (Principal Seat) in the case of **Smt. Farzana Chand Shaikh Vs. State of Maharashtra, WP No.8459 of 2008 dated 29.08.2009.**

2. We are not inclined to accept the contention of the petitioners. The petitioners, admittedly, are not appointed by following due process for recruitment. What was offered to them by the Tahsildar was a kind of solace or stop gap arrangement. During that time they ought to have made efforts to get the job by following due process of recruitment. By no stretch of imagination, the petitioners would get any right of employment, even though they worked for three years on honorarium basis. The petition does not deserve admission.

3. The writ petition stands dismissed.

[V.K. JADHAV, J.]

[A.V. NIRGUDE, J.]