

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

WRIT PETITION NO. 4237 OF 2002

The State of Maharashtra through
the Assistant Director of Health
Services, Nashik and another .. Petitioner

Versus

Haroon Shaikh Chand Bagwan .. Respondent

**WITH
WRIT PETITION NO. 4232 OF 2002**

The State of Maharashtra through
the Assistant Director of Health
Services, Nashik and another .. Petitioner

Versus

Devaji S/o Mahadu Patil .. Respondent

Shri G. K. Thigle, Addl.G.P. for Petitioners/State in both matters.
Shri Kunal Kale, Advocate h/f Shri Rajendra Deshmukh,
Advocate for the Respondent in both matters.

**CORAM : S. V. GANGAPURWALA AND
A. I. S. CHEEMA, JJ.**

DATE : 01ST APRIL, 2015.

PER COURT :

. We have heard Mr. Thigle, the learned Additional
Government Pleader. The learned Additional Government

Pleader submits that, the Tribunal misread the representation and allowed the original application filed by the respondents seeking age relaxation. The respondents were seasonal workers, as such cannot be said to be in Government service. The age relaxation is only for those who were in Government service.

2. By the impugned order, the Tribunal had only directed the petitioners to extend the benefit of age relaxation as and when the respondents come in the zone of consideration. The age relaxation was of four years. This Court admitted the matters on 30th September, 2003 and 27th March, 2003 respectively, however, did not grant any interim order. The respondents in the year 1999 were of 40 and 37 years of age. It is not clear as to whether the respondents were given the benefit of age relaxation or not. In any case, with passage of time, the respondents would be nearing the age of superannuation.

3. Considering the aforesaid aspects of the matters, no case for interference at this stage is made out. The writ petitions as such are disposed of. Rule discharged. No costs.

[A. I. S. CHEEMA, J.]

[S. V. GANGAPURWALA, J.]