

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

WRIT PETITION NO. 3397 OF 2015

KAILASH KAPOORSING PARDESHI AND OTHERS
VERSUS
STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Patil Indrale Anand V.
AGP for Respondents: Mr. S.S.Tope

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CORAM : S V GANGAPURWALA & V.K. JADHAV, JJ.
Dated: July 20, 2015

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PER COURT :-

1. The learned counsel for the Petitioners submit that the Petitioners in this writ petition are lecturers appointed on contractual basis and are similarly situated as the Petitioners in Writ Petition No. 2046 of 2010 decided by this Court at Nagpur Bench vide judgment and order dated 19th October, 2013, wherein this Court had directed the Respondents to regularize the services of such Petitioners and confirm them permanency, who have completed three years service with technical breaks. According to the learned counsel, the said judgment was also assailed before the Apex Court by filing Special Leave Petition and the said Special Leave Petition has been dismissed by the Apex Court. Pursuant thereto, the Division Bench of this Court at principal Seat at Mumbai, has disposed of similar petitions. According to the learned counsel for the Petitioners, even the Government by Government Resolution dated 14th January, 2015, has regularized the services of such 62 employees.

2. The learned AGP appearing in this writ petition accept that the Petitioners in this writ petition are similarly situated as the Petitioners in Writ Petition No. 2046 of 2010, decided by the Nagpur Bench and the said judgment being confirmed by the Apex Court.

3. In light of the above and for the reasons recorded in the judgment delivered in Writ Petition No. 2046 of 2010 dated 19th October, 2013, by the Nagpur Bench, the present petitions also stand disposed of.

4. The Respondents shall regularize the services of the Petitioners and confirm permanency on such Petitioners who have completed three years of service with technical breaks. The Respondents shall also absorb the Petitioners within a period of six weeks.

5. The Petitioners who are in continues employment till this date, shall be continued in service as regularized employees.

6. It is directed that the Petitioners shall be entitled for the regular salary from 1st August, 2015, and would not be entitled to claim monetary benefits in respect of their past services rendered by them inspite of their regularization. The Petitioners shall be entitled for the continuity in service for all the purposes, except the monetary benefits.

7. Accordingly, the writ petition is disposed of with aforesaid observations and directions. No costs.

(V.K. JADHAV, J.)

(S V GANGAPURWALA, J.)

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aaa/-