

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

WRIT PETITION NO. 1749 OF 2015

Lalasaheb Maruti Nannaware .. Petitioner

Versus

The Union of India and others .. Respondents

**WITH
WRIT PETITION NO. 1765 OF 2015**

Balasaheb Maruti Dhas .. Petitioner

Versus

The Union of India and others .. Respondents

**WITH
WRIT PETITION NO. 1757 OF 2015**

Nagnath Limbaji Divate .. Petitioner

Versus

The Union of India and others .. Respondents

**WITH
WRIT PETITION NO. 1750 OF 2015**

Uttam Shivling Ganachari .. Petitioner

Versus

The Union of India and others .. Respondents

**WITH
WRIT PETITION NO. 1862 OF 2015**

Balasaheb Baburao Ikhe .. Petitioner

Versus

The Union of India and others .. Respondents

Shri Vikram S. Undre, Advocate for the Petitioner in all matters.
Shri S. B. Joshi, Advocate h/f Shri S. B. Deshpande, Asstt.
Solicitor General for the Respondent No. 1.
Shri D. B. Bhange, Shri A. S. Shinde and Shri G. K. Thigle,
A.G.P. for Respondent No. 2 in respective writ petitions.

**CORAM : S. V. GANGAPURWALA AND
V. L. ACHLIYA, JJ.
DATE : 16TH FEBRUARY, 2015.**

PER COURT :

. Mr. Undre, the learned counsel for petitioners in all these writ petitions submits that, the petitioners are working as Daily Messengers with the respondent No. 3/bank for 15 to 20 years. According to the learned counsel, even petition was filed before the Labour Court U/Sec. 33(2)(c) of the Industrial Disputes Act, which is allowed. Against the same the bank has filed writ petition before this Court. The learned counsel submits that, the petitioners are working since more than 15 to 20 years. They are required to be treated as permanent. The respondent No. 3 be directed to consider the petitioners as permanent in service and regularize the services of the petitioners. The learned counsel

submits that, fresh advertisement has been issued, but the post of daily messenger has not been advertised.

2. We have heard the learned counsel for respondent No. 1 and the learned Assistant Government Pleader for the respondent No. 2 in respective writ petitions.

3. If the post on which the petitioners are working is not advertised, then the petitioners cannot make any grievance about the same. As far as permanency is concerned, the petitioners have an alternate forum available for redressal of their grievance. The petitioners can approach the Labour and/or Industrial Court as the case may be to agitate their ground of permanency. Considering the above, the writ petitions stand disposed of with aforesaid observations. No costs.

[V. L ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]