

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11091 OF 2014

Mr. Deepak Dilip Badekar Petitioner

VS

The State of Maharashtra and ors. Respondents

Mr. S.D. Deshmukh with Mr. R.S. Patil for the petitioner.

Mr. V. N. Sagare, AGP for respondents 1 and 2.

**CORAM: ANOOP V. MOHTA AND
A. A. SAYED, JJ.**

DATE : August 26, 2015

ORDER:

Rule, returnable forthwith. Heard finally by consent of parties.

2 We are inclined to dispose of the present writ petition as the contention so raised by the Petitioner to regularise the services as lecturer in the Government Polytechnic College and the prayer to approve the permanent service and all other related benefits on the ground that the Petitioner has already completed three years of service as a lecturer with two technical breaks and those issues are

covered by a Division Bench judgment of this Court (Nagpur Bench) in Writ Petition No.2046 of 2010-Sachin Ambadas Dawale and ors. v. The State of Maharashtra and Anr., dated 19.10.2013 and further followed in Writ Petition No.491/2014-Sunil S. Solapure v. State of Maharashtra and anr dated 11.02.2015 and Writ Petition No.1365 of 2015-Jayashri M. Kumbhar v. State of Maharashtra dated 11.02.2015 and granted the similar reliefs so prayed by the Petitioners by reasoned order.

3 The learned counsel appearing for the Petitioner further stated that the Petitioner has been in service till this date.

4 The learned AGP, on instructions, also conceded to the position that the Petitioner is entitled for the same and similar reliefs as granted by this Court in the above petitions.

5 Therefore, the following order ;

ORDER

- (i) We direct the Respondents to regularise the services of the Petitioner and confer permanency on the Petitioner in accordance

with law as he has completed three years of service with technical breaks and he is still in service.

- (ii) The Respondents are directed to absorb the Petitioner within a period of six weeks and pay the regular salary from the date of absorption.
- (iii) The Respondents are directed to grant continuity of service to the Petitioner and grant all other entitlement/benefits.
- (iv) It is made clear that the Petitioner would not be entitled to claim any monetary benefits towards his past service rendered.
- (v) All points are kept open.
- (vi) Rule made absolute accordingly.
- (vii) No costs.

(A. A. SAYED, J.)

(ANOOP V. MOHTA, J.)