

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

WRIT PETITION NO. 1398 OF 2016

CHANDRAKANT APPARAO TAPSE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Pradip K.Wagh
AGP for Respondent/State : Mr. S.D.Kaldate
Advocate for Respondent No.2 : Mr. S.B.Munde
Advocate for Respondent No.3 : Mr. A.D.Aghav

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CORAM : S.S. SHINDE & P.R.BORA, JJ.
Dated: March 04, 2016

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PER COURT:

1] Heard the learned counsel for the parties. Perused the pleadings in the petition and the documents placed on record.

2] The learned counsel appearing for the petitioners submits that, in case of the employees in the employment of Zilla Parishad, Osmanabad and Latur, though 'Maruf agreement' was made applicable, governing their service conditions, subsequently, application of said agreement was cancelled and 'Kalelkar Settlement' is made applicable governing their service conditions. The statement made by the learned counsel appearing for the petitioners is also confirmed by learned counsel appearing for the respondent No. 3 / Zilla Parishad. He submits that, already proposal is forwarded by the Respondent No. 3 to Respondent No. 1, requesting for applying 'Kalelkar

Settlement' instead of 'Maruf Agreement' to the employees of the Respondent No.3. There is innocuous prayer in the petition, in as much as direction is sought to Respondent No. 1 to decide the proposal dated 01.06.2015 submitted by Respondent No. 3 in respect of applicability of the provisions of 'Kalelkar Settlement' to the petitioners and in case of other employees working under Zilla Parishad, Beed, like same is made applicable to the employees working under Zilla Parishad, Osmanabad and Latur.

3] In that view of the matter, we direct Respondent No. 1 – State to take a decision on the said proposal dated 01.06.2015 forwarded by Respondent No. 3, if necessary, after hearing the parties, as expeditiously as possible, and preferably within a period of twelve [12] weeks from today and communicate the said decision to the petitioners and Respondent No.3. We make it clear that, we have not expressed any opinion on merits, and it is left to Respondent No. 1 to take appropriate decision.

4] The Writ Petition is disposed of on above terms.

Parties to act upon authenticated copy of this order.

[P.R.BORA, J.]

[S.S. SHINDE, J.]