

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

WRIT PETITION NO. 1438 OF 2016

Ratnamala Laxman Mirajgave

..PETITIONER

VERSUS

State of Maharashtra and Others

..RESPONDENTS

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Mr. S.B. Gastgar, Advocate for petitioner.

Mr. S.B. Pulkundwar, A.G.P. for Respondent No., Advocate for respondent.

Mr. S.S. Manale, Advocate for Respondent No.3.

Mr. S.S. Pawar, Advocate for Respondent No.4.

Mr. M.D. Harwadkar, Advocate for Respondent No.6.

Mr. B.B. Dahiphale, Advocate h/f Mr. N.P. Patil-Jamalpurkar, Advocate for Respondent No.7.

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**CORAM : R.M. BORDE AND
K.K. SONAWANE, JJ.**

DATED : 18th AUGUST, 2016

ORDER :

. The petitioner is praying for quashing and setting aside the Public Notice dated 01.02.2016 in respect of holding of Gram Sabha meeting.

2. The proposed agenda for consideration before the Gram Sabha is stated to be selection of a candidate for nomination as a Gram

Rojgar Sevak. The scheme for appointment of Gram Sevak is formulated by the State Government and published under resolution dated 02nd May, 2011. The post of Gram Sevak cannot be considered to be a regular employment and the functions of the Gram Rojgar Sevak are of part time nature. The post does not carry the regular salary. The person holding the charge of a Gram Rojgar Sevak cannot be considered as an employee under the Government, Zilla Parishad or the Panchayat Samitee. It is further prescribed that such a person cannot be considered as a regular employee of a Gram Panchayat. The decision in respect of appointment or removal is required to be taken by the Gram Sabha.

3. Considering the scheme, the petitioner cannot be stated to have any legal right to claim the relief. Even otherwise since the petitioner is raising challenge to the Gram Sabha meeting which was scheduled to be held on 09.02.2016, the petition is pre-mature. Apart from the fact that the petitioner does not have any legal right to claim the relief, the petition is devoid of any substance and is rejected.

(K.K. SONAWANE, J.)

(R.M. BORDE, J.)

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