

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

Writ Petition No. 1861 of 2016

District : Beed

1. Shivaji s/o. Bappasaheb Kharat,
Age : 50 years,
Occupation : Service as
Canal Kamagar,
R/o. Bangali Pimpla,
Taluka : Georai,
District : Beed.
 2. Sakharam s/o. Sandubhai Shelke,
Age : 50 years,
Occupation : Service as
Canal Kamagar,
R/o. Swaraj Nagar,
Barshi Road, Beed,
Taluka & District : Beed.
 3. Vishnu s/o. Shivbapu Bhoge,
Age : 58 years,
Occupation : Service as
Canal Kamagar,
R/o. Dhekan Moha,
Taluka & District : Beed.
- .. Petitioners.

versus

1. The State of Maharashtra,
Through its Secretary,
Rural Development and
Water Conservation Department,
Mantralaya, Mumbai.
 2. The Divisional Commissioner,
Divisional Commissioner Office,
Aurangabad.
 3. The Chief Executive Officer,
Zilla Parishad, Beed.
- .. Respondents.

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Mr. Pradip K. Wagh, Advocate, for the petitioners.

*Mr. B.V. Virdhe, Asst. Government Pleader, for
respondent nos.1 and 2.*

Mr. A.D. Aghav, Advocate, for respondent no.3.

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**CORAM : S.S. SHINDE &
SANGITRAO S. PATIL, JJ.**

DATE : 18TH APRIL 2016

COURT'S ORDER (Per S.S. Shinde, J.):

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 submit 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.

3. The statement made by the learned Counsel appearing for the petitioners is also confirmed by the learned Counsel appearing for respondent no.3 - Zilla Parishad. He submits that already proposal is forwarded by respondent no.3 to respondent no.1, requesting for applying 'Kalelkar Settlement' instead of 'Maruf Agreement' to the employees of the respondent no.3.

4. There is innocuous prayer in the petition, inasmuch as direction is sought to respondent no.1 to decide the proposal dated 1-6-2015 submitted by respondent no.3 in respect of applicability of the provisions of 'Kalelkar Agreement' to the petitioners who are working under "Maaruf Agreement".

5. In that view of the matter, we direct respondent no.1- State to take a decision on the said proposal dated 1-6-2015 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.

6. With the above directions, the Writ Petition is disposed of.

7. Parties to act upon an authenticated copy of this order.

(SANGITRAO S. PATIL)
JUDGE

(S.S. SHINDE)
JUDGE

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