

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

WRIT PETITION NO. 11333 OF 2015

Harish Devidasrao Paithane and others .. Petitioners

Versus

The Union of India and others .. Respondents

Shri S. B. Talekar, Advocate for Petitioners.

Shri Ajay G. Talhar, Advocate for Respondent Nos. 1 and 2.

Shri S. G. Karlekar, A.G.P. for Respondent Nos. 3 to 11.

**CORAM : S. V. GANGAPURWALA AND
A. M. BADAR, JJ.**

DATE : 27TH JANUARY, 2016.

PER COURT :

. Mr. Talekar, the learned counsel for petitioners submits that, the petitioners are working since the year 1997 as Project Directors or Project Officers/Community Organizers in Swarna Jayanti Shahari Rojgar Yojana. Now the said scheme is named as Rashtriya Nagari Rojgar Yojana i. e. National Urban Livelihood Mission and State Urban Livelihood Mission. The petitioners are working continuously since 1997-1998. The Commissioner/Director of the office of the Directorate of Municipal Administration has forwarded a proposal to the Secretary, Urban Development Department, Mantralaya, Mumbai on 13th January, 2012 for giving them regular pay scale and for regularization of service.

2. We have heard Mr. Karlekar, the learned A. G. P. and Mr. Talhar, the learned counsel for Respondent Nos. 1 and 2.

3. It appears that, the petitioners are working for more than ten to twelve years. It is stated in the proposal (Exhibit - L) that they are appointed after advertisement and conducting written test and interviews. Their entry is not back door entry.

4. Considering the aforesaid aspects of the matter, it would be for the State to consider the said proposal considering all the relevant aspects of the matter i. e. the scheme in vogue, so also the other aspects while deciding the proposal (Exhibit - L).

5. In the light of the above, the respondent No. 3 shall decide the proposal (Exhibit - L) forwarded by the respondent No. 5 on its own merits in accordance with its policy and rules expeditiously and preferably within a period of six (6) months from today considering the fact that, the same is pending since January 2012. Till the said proposal is decided, the respondents shall continue the petitioners on their posts on the same terms as they are working. The parties may take such steps in tune with the decision taken upon the proposal (Exhibit - L) by the respondent No. 3. The writ petition is disposed of. No costs.

[A. M. BADAR, J.]

[S. V. GANGAPURWALA, J.]