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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.12303/2015

Maharashtra Rajya Hangami Hivtap
Prayogshala Karmachari Sanghatana
through its President B.M. Tangade.
...Petitioner..

Versus

The State of Maharashtra & others.
...Respondents...

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Shri P.R. Katneshwarkar, Advocate h/f Shri A.R. Gaikwad,
Advocate for petitioner.

Shri B.V. Wirdhe, AGP for respondent nos.1 to 3.

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**CORAM: S.V. GANGAPURWALA &
K.L. WADANE, JJ.**

DATE: 05.10.2016

ORDER :

1] Heard learned counsel for the parties.

2] The petitioner claims right of its members for being appointed to the post of Laboratory Technician. The members of the petitioner - Union are working as Senior Field Workers / Temporary Laboratory Technicians. According to the petitioner, the members of the petitioner union are working for more than 15 to 20 years

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and are not made permanent. The Government can take decision to accommodate the members of the petitioner - union as one time measure. The petitioner has moved the Government in that regard, however, no decision has been taken.

3] Learned AGP states that the Rules are framed in that regard and 30% quota is reserved for the persons working as Temporary Laboratory Technicians / Senior Field Workers for being appointed as Laboratory Technicians for which they have to pass the examination, then they can be permanently absorb in Government service.

4] As on date, the Rules are holding the field. The petitioner is seeking directions against the State to consider its claim to absorb all the members of the petitioner - Sanghatana as Laboratory Technicians as one time measure. It is for the Government to take the policy decision. The petitioner may prosecute its claim with the Government in this regard. It is for the Government to take appropriate decision.

5] In the light of above, writ petition is disposed of. No costs.

6] Learned counsel for the petitioner submits that the

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petitioner be given liberty to assail the Rules if so required. The validity of the Rules is not a subject matter in the present writ petition. As such, the same is not considered. The petitioner, if it so chooses, may assail the same in appropriate proceedings.

(K.L. WADANE, J.)

(S.V. GANGAPURWALA, J.)