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

WRIT PETITION NO.5138/2002

- 1] The State of Maharashtra
G.P.H.C. A'bad
- 2] The Joint Director of Health Services,
Maleria and Falieria,
Maharashtra State, Pune-1
- 3] The Assistant Director of
Health Services,
Maleria Aurangabad.
- 4] The Deputy Director of
Health Services,
Latur Circle, Latur
- 5] District Maleria Officer,
Beed, Dist.Beed.

..PETITIONERS
[ORIG.RESPONDENTS]

VERSUS

Mirza Taher Baig Mirza Abdullah
Age 32 years, Occu.M.P.W.
Presently working at under
P.H.C. Tadsonna Tq. Beed
Dist.Beed.

.. RESPONDENT
[ORIG.APPLICANT]

...

WITH

WRIT PETITION NO.5139 OF 2002

1]The State of Maharashtra,
Through G.P. H.C. Aurangabad.

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2]The Joint Director of Health Services,
Malaria and Falaria,
Maharashtra State, Pune-1.

3]The Assistant Director of Health Services,
Malaria, Aurangabad.

4]The Deputy Director of Health Services,
Latur Circle, Latur.

5]District Malaria Officer,
Beed, Dist. Beed.

..PETITIONERS
..(Ori. Respondents)

Versus

1]Sandipan Sadashivrao Jawanjal,
Age: 32 Years, Occ. : M.P.W.
Presently working Sub Centre,
Gadhi under P.H.C. Nipani-Javalka,
Tq. Georai, Dist. Beed.

..RESPONDENTS
..(Ori. Applicant)

WITH

WRIT PETITION NO.5148 OF 2002

1]The State of Maharashtra,
Through G.P. H.C. Aurangabad.

2]The Joint Director of Health Services,
Malaria and Falaria,
Maharashtra State, Pune-1.

3]The Assistant Director of Health Services,

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Malaria, Aurangabad.

4]The Deputy Director of Health Services,
Latur Circle, Latur.

5]District Malaria Officer,
Beed, Dist. Beed.

..PETITIONERS
..(Ori. Respondents)

Versus

1]Shaikh Moin Dadamiya,
Age: 31 Years, Occ. : M.P.W.
Presently working Sub Centre,
Rakshasbhuvan under P.H.C. Umapur,
Tq. Georai, Dist. Beed.

..RESPONDENT
..(Ori. Applicant)

WITH

WRIT PETITION NO.5166 OF 2002

1]The State of Maharashtra,
Through G.P. H.C. Aurangabad.

2]The Joint Director of Health Services,
Malaria and Falieria,
Maharashtra State, Pune-1.

3]The Assistant Director of Health Services,
Malaria, Aurangabad.

4]The Deputy Director of Health Services,
Latur Circle, Latur.

5]District Malaria Officer,
Beed, Dist. Beed.

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..PETITIONERS
 ..(Ori. Respondents)

Versus

1]Shaikh Abdul Raheman Shaikh,
 Age: 34 Years, Occ. : M.P.W.
 Presently working Sub Centre,
 Pimpladevi under P.H.C. Tadsonna,
 Tq. Beed,Dist. Beed.

..RESPONDENT
 ..(Ori. Applicant)

WITH

WRIT PETITION NO.514 OF 2003

1]The State of Maharashtra,
 Through Presenting Officer M.A.T.,
 Bench at Aurangabad.

2]The Joint Director of Health Services,
 Maleria and Falieria,
 Maharashtra State, Pune-1.
 Near Vishant Wadi.

3]The Assistant Director of Health Services,
 Maleria, Aurangabad.
 Near Baba Petrol Pump.

4]The Deputy Director of Health Services,
 Latur Circle, Latur.

5]District Maleria Officer,
 Beed, Dist. Beed.

..PETITIONERS
 ..(Ori. Respondents)

Versus

1]Sk. Rafiq Sk. Ibrahim,
Age: 38 Years, Occ. : M.P.W.
Presently working at Dist. Malaria Officer,
Beed, Dist. Beed.

2]Uttam S/o Ambadas Kasbe,
Age: 37 Years, Occ. : M.P.W.
Presently working Sub Centre,
Pimpladevi under P.H.C. Chinchwan,
Dist. Beed.

..RESPONDENTS
..(Ori. Applicants)

WITH

WRIT PETITION NO.515 OF 2003

1]The State of Maharashtra,
Through Presenting Officer M.A.T.
Bench at Aurangabad.

2]The Joint Director of Health Services,
Malaria and Falieria,
Maharashtra State, Pune-1.
Near Vishant wadi.

3]The Assistant Director of Health Services,
Malaria, Aurangabad.
Near Baba Petrol Pump.

4]The Dy. Director of Health Services,
Latur Circle, Latur.

5]District Malaria Officer,
Beed, Dist. Beed.

..PETITIONERS
..(Ori. Respondents)

Versus

1]Vishnu S/o Eknathrao Garje,
Age: 35 Years, Occ. : M.P.W.
Presently working at P.H.C. Ashti,
Tq. Ashti, Dist. Beed.

2]Yada S/o Janardhan Pawal,
Age: 34 Years, Occ. : M.P.W.
Presently working at P.H.C. Wahali,
Dist. Beed.

3]Sadanand S/o Prabhakar Dhase,
Age: 32 Years, Occ. : M.P.W.
Presently working at Sub-Centre- Parner,
Under P.H.C. Naygaon, Tq. Patoda,
Dist. Beed.

..RESPONDENTS
..(Ori. Applicants)

WITH

WRIT PETITION NO.516 OF 2003

1]The State of Maharashtra,
Through Presenting Officer M.A.T.
Bench at Aurangabad.

2]The Joint Director of Health Services,
Malaria and Falaria,
Maharashtra State, Pune-1.
Near Vishant wadi.

3]The Assistant Director of Health Services,
Malaria, Aurangabad.

Near Baba Petrol Pump.

4]The Dy. Director of Health Services,
Latur Circle, Latur.

5]District Malaria Officer,
Beed, Dist. Beed.

..PETITIONERS
..(Ori. Respondents)

Versus

1]Ranu S/o Manikarao Waghmare,
Age: 28 Years, Occ. : M.P.W.
Presently working at P.H.C. Tadsonna,
Dist. Beed.

2]Pandharinath S/o Kashinath Parekar,
Age: 29 Years, Occ. : M.P.W.
Presently working at P.H.C. Ashti,
Dist. Beed.

3]Khan Mohammad Hamid Khan,
Age: 34 Years, Occ. : M.P.W.
Presently working at
District Malaria Office,
Dist. Beed.

4]Dnyanoda S/o Nivrutti Garje,
Age: 28 Years, Occ. : M.P.W.
Presently working at P.H.C. Ashti,
Dist. Beed.

5]Shahji S/o Govindrao Garje
Age: 29 Years, Occ. : M.P.W.
Presently working at Sub-centre Yelda,
Under P.H.C. Patoda,
Dist. Beed.

6]Saheb S/o Manikrao Kamble,
Age: 28 Years, Occ. : M.P.W.
Presently working at Sub-Centre Yelda,
Under P.H.C. Bhavthan, Tq. Ambajogai,

Dist. Beed.

7]Pandit S/o Kakasaheb Sanap,
Age: 34 Years, Occ. : M.P.W.
Presently working at P.H.C. Shiroor,
Dist. Beed.

..RESPONDENTS
..(Ori. Applicants)

WITH

WRIT PETITION NO.517 OF 2003

1]The State of Maharashtra,
Through Presenting Officer M.A.T.
Bench at Aurangabad.

2]The Joint Director of Health Services,
Malaria and Falieria,
Maharashtra State, Pune-1.
Near Vishant wadi.

3]The Assistant Director of Health Services,
Malaria, Aurangabad.
Near Baba Petrol Pump.

4]The Dy. Director of Health Services,
Latur Circle, Latur.

5]District Malaria Officer,
Beed, Dist. Beed.

..PETITIONERS
..(Ori. Respondents)

Versus

1]Sunil S/o Motiram Gaikwad,
Age: 32 Years, Occ. : M.P.W.
Presently working at District Malaria Office,
Beed, Dist. Beed.

2]Shaikh S/o Majid Mader,
Age: 28 Years, Occ. : M.P.W.
Presently working at P.H.C. Naygaon,
(Tamba-rajuril),Dist. Beed.

3]Eknath S/o Tushiram Salve,
Age: 37 Years, Occ. : M.P.W.
Presently working at P.H.C. Naygaon,
Rajuri, Tq. and Dist. Beed.

4]Ramchandra S/o Shankarrao Bahir,
Age: 29 Years, Occ. : M.P.W.
Presently working at P.H.C. Raimoha,
Dist. Beed.

5]Babasaheb S/o Apparao Mhaske,
Age: 48 Years, Occ. : M.P.W., P.H.C. Kuppa,
Dist. Beed.

6]Ashok S/o Ramchandra Garje,
Age: 29 Years, Occ. : M.P.W.
Presently working at Civil Dispensary Dharur,
Tq. Dharur, Dist. Beed.

7]Shankar S/o Manikrao Kadam,
Age: 29 Years, Occ. : M.P.W.
Presently working at Civil Dispensary Dharur,
Tq. Dharur, Dist. Beed.

8]Sanjay S/o Tulshiram Sasane,
Age: 33 Years, Occ. : M.P.W.
P.H.C. Patoda, Tq. Patoda,
Dist. Beed.

..RESPONDENTS
..(Ori. Applicants)

WITH

WRIT PETITION NO.518 OF 2003

1]The State of Maharashtra,
Through Presenting Officer M.A.T.
Bench at Aurangabad.

2]The Joint Director of Health Services,
Malaria and Falaria,
Maharashtra State, Pune-1.
Near Vishant wadi.

3]The Assistant Director of Health Services,
Malaria, Aurangabad.
Near Baba Petrol Pump.

4]The Dy. Director of Health Services,
Latur Circle, Latur.

5]District Malaria Officer,
Beed, Dist. Beed.

..PETITIONERS
..(Ori. Respondents)

Versus

1]Shashikant S/o Prakashrao Deshmukh,
Age: 30 Years, Occ. : M.P.W.
Presently working at P.H.C. Nandurghat,
Dist. Beed.

2]Sayyed Sajed Iliyas,
Age: 28 Years, Occ. : M.P.W.
Presently working at P.H.C. Naigaon,
Dist. Beed.

3]Ambadas S/o Machindra Pawal,
Age: 32 Years, Occ. : M.P.W.
Presently working at P.H.C. Shioor,
Dist. Beed.

..RESPONDENTS
..(Ori. Applicants)

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Mr.A.D.Namde, AGP for petitioners State
Adv.Mr.Dhananjay Mane h/f Mr.M.M.Patil
And Mr.J.S.Deshmukh for respondents.
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**CORAM : S.V.GANGAPURWALA &
MANGESH S. PATIL,JJ.**

DATE : 31/08/2017

ORAL JUDGMENT PER [S.V.GANGAPURWALA,J.] :-

Heard learned AGP for the petitioners and the learned counsel for respondents.

2] The petitioner assails the order passed by the Tribunal directing the present petitioner to treat the respondents as regular appointees on the post of Multipurpose Health Workers and to adjust their seniority on the basis of the marks obtained by them at the post basic training therein.

3] This Court at the time of admission of the Writ Petition had refused interim relief. The Tribunal has considered that the present respondents were appointed as Seasonal Spraying Workers thereafter, in accordance with the Recruitment Rules to the post of Multipurpose Health Workers and in accordance with guidelines laid

down in Government Resolution dated 27/5/1997. The respondents were selected for the post of Multipurpose Health Workers on successful completion of the basic training. The respondents were appointed as bonded candidates initially for a period of six months. Though there were no further orders, the respondents were continued as bonded candidates. The Tribunal had considered earlier judgment and the judgment of this Court in Writ Petition No.1370/1998 and directed that the Government Resolutions dated 27/5/1997 and 17/9/1997 should be followed. The case of the respondents is covered by the said Government Resolutions.

4] The learned counsel for respondents further submits that the order of the Tribunal has also been complied by the petitioners and order to that effect has been issued to the respondents.

5] In light of the above, no case for interference is made out. Writ Petitions as such are disposed of. Rule discharged. No costs.

(MANGESH S. PATIL,J.) (S.V.GANGAPURWALA,J.)

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