

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

WRIT PETITION NO. 3604 OF 2003

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TAPI IRRIGATION DEVELOPMENT
CORPORATION, JALGAON
through Executive Engineer,
Waghad Canal Division, Nashik
now merged in the Executive
Engineer, Upper Godavari Project
Division, Nashik.

....Petitioner.....

VERSUS

ULSHA SONU PAWAR
age major, Occ. Ex-labour,
R/o Bhaltone, Post Kadhare,
Taluka Kalwan, Dist. Nashik

....Respondent...

...

Advocate for Petitioner :Mr.D R Shelke a/w S D
Shelke

Advocate for Respondents : Mr. Karne G. J.

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CORAM : V.K. JADHAV, J.

Dated: November 09, 2017

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ORAL JUDGMENT :-

1. Learned counsel for the petitioner submits that, in the month of December 2003, the Executive Engineer, Upper Godavari Prkalpa, Division Nashik-2 had submitted a proposal to the

Superintending Engineer, Nashik Irrigation Project Mandal in respect of the present respondent and other workers in terms of the provisions of Government Resolution dated 24.4.2001. It has been also mentioned in the said proposal that, workers as mentioned in the said proposal alongwith present respondent is taken on establishment permanently. They are ready to forgo their back wages and they will also not claim any interest. The learned counsel has submitted copy of the said proposal and the same is taken on record. It appears that, by way of said proposal, the Executive Engineer has recommended the proposal on the ground that the workers mentioned in the said proposal alongwith present respondent are ready to forgo their claim about back-wages and interest and, therefore, they may be taken on the establishment permanently. It has been also stated in the said proposal that if, the proposal is accepted,

Writ Petition filed by the Department would be withdrawn.

2. Learned counsel for respondent submits that, the Department has not taken any action on this proposal.

3. In view of the said proposal, the concerned superior Authority of the Department shall take appropriate decision in the matter in accordance with the Government Resolution dated 24.4.2001 within SIX MONTHS from the date of this order.

Writ Petition accordingly disposed off. No costs.

sd/-

(V.K. JADHAV, J.)

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aaa/-