

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 16581 OF 2016

IN

WRIT PETITION NO. 7577 OF 2009

(Kushal Magannath Aucharmal and others Vs. Mahesh
Sampatrao Rakh and others)

Mr. Sujeet D. Joshi, Advocate for applicants

Mr. Ajay S. Deshpande, Advocate for respondent No.3

Mr. U.R. Awate, Advocate holding for Mr. S.B. Talekar,
Advocate for respondent Nos.7 and 9 to 18 in writ
petition

Mr. S.B. Yawalkar, A.G.P. for respondent/State

**CORAM : S.V. GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.**

DATE : 28th APRIL, 2017

ORAL ORDER:

Heard.

2. Mr. Joshi, the learned counsel for the applicants submits that the applicants were appointed by the Maharashtra Pollution Control Board. This Court had passed an order dated 17th July, 2010, stating that the appointments would be subject to the decision in the writ petitions. The applicants are serving. They may be given service benefits attached to the posts of the applicants.

3. Mr.Deshpande, the learned counsel appears for the Maharashtra Pollution Control Board and opposes the prayer.

4. If the present applicants are serving with the respondent-Board and though their appointments are subject to the decision in the writ petitions, till the period they are serving, naturally they would be entitled for the benefits attached to their posts.

5. Considering the above, the respondent – Maharashtra Pollution Control Board may give the service benefits attached to the posts on which the applicants are serving.

6. With the above directions, the civil application is disposed of.

[SANGITRAO S. PATIL]
JUDGE

[S.V. GANGAPURWALA]
JUDGE