

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

28 WRIT PETITION NO.5297 OF 2019

BALASAHEB LAXMAN DIGHE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Temak Rahul B.
AGP for Respondents State: Mrs. M.A.Deshpande
Advocate for Respondent Nos. 3 and 4 : Mr. V.D. Sapkal

**CORAM : S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATE : 25th July, 2019

PER COURT:

1. Heard Mr. Temak, learned Advocate for the petitioner and Mr. Sapkal, learned Advocate for respondent Nos. 3 and 4.

2. Learned counsel for the respective parties agree that the petitioner is similarly situated as the petitioners in Writ Petition No.5237/2017 decided under order dated 5th July, 2018. In view of that, we follow the course.

3. Considering the above, we pass following order :

(i) Respondent no.3/4 shall examine the claim of the petitioner in the light of observations made by Division Bench of this Court in the case of Uddhav

Trimbak Umbare vs State of Maharashtra and Others in Writ Petition No. 9398 of 2012, decided at Bombay, dated 1.2.2013 and pass speaking order in regard to the claim of the petitioner for treating him as full time Assistant Teacher/Shikshan Sevak.

- (ii) The decision shall be taken by respondent no.3/4, expeditiously and in case the petitioner is found eligible, the proposals of the petitioner will be forwarded to respondent no.2.
- (iii) The status quo as it exists today in respect of the employment of the petitioner shall be maintained by respondent no.3/4 till the decision as aforesaid is taken.
- (iv) Writ Petition is disposed of. No costs.

(MANGESH S. PATIL, J.)

(S.V.GANGAPURWALA, J.)

JPC