

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

**WRIT PETITION NO.9384 OF 2018
The State of Maharashtra Vs. Uttam Laxmanrao Raut & Ors.**

**WRIT PETITION NO.9450 OF 2018
The State of Maharashtra Vs. Bhartibai w/o. Vijay Lone & Ors.**

**WRIT PETITION NO.9464 OF 2018
The State of Maharashtra Vs. Shekhar Gangadhar Gaikwad**

Mr.S.S. Dande, AGP for petitioner/State.
Mr.P.V. Suryawanshi, Advocate for respondents.

**CORAM : SUNIL P.DESHMUKH &
S.M.GAVHANE,JJ.
DATED : 08.07.2019**

P.C. :-

1. Learned AGP has advanced his submissions, however, he is not in a position to come out of that, these writ petitions involve same subject matter as in Writ Petitions No.2800 of 2018, 4259 of 2018, 2202 of 2018, 1485 of 2018 and 1497 of 2018, wherein purportedly orders passed by the Maharashtra Administrative Tribunal had been questioned, as in present petitions. A Division Bench of this Court on 11-04-2018 had disposed the Writ Petition No. 2800 of 2018 observing that respondents therein shall be paid wages in terms of the notification dated 28-09-2010 read with Government Resolution dated 07-03-2018.

2. In the present matter, the Maharashtra Administrative Tribunal in impugned order in respect of present respondents has considered that part-time sweepers are entitled to wages as declared by the Government through various notifications referring to notification dated 28.09.2010 as observed by the Hon'ble High Court in its order dated 29.04.2009 in Writ Petition No.1826 of 2001 and three other writ petitions. The petitioner herein i.e. the State of Maharashtra is not in a position to distinguish the present case. In the circumstances, we deem it appropriate to follow the order dated 11.04.2018 (Supra).

3. Thus, respondents herein shall be paid wages in terms of notification dated 28-09-2010 read read with Government Resolution dated 07-03-2018. In view of aforesaid, no interference is called for in the decision rendered by the learned Member of the Maharashtra Administrative Tribunal in Original Application No. 474 of 2016 dated 02-09-2016.

4. In view of above, all these writ petitions are disposed of.

[S.M.GAVHANE,J.]

[SUNIL P.DESHMUKH,J.]