

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

55 WRIT PETITION NO.9290 OF 2019

**JAGDISH ATMARAM PAWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner : Mr. Dnyaneshwar Patil h/f. Suryawanshi
Sanket N.

AGP for Respondent: Mr. S.B. Pulkundwar

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

DATE : 29/07/2019

PER COURT :

1. We have heard the learned counsel for the petitioner and the learned A.G.P. It appears that the petitioner was working initially as a Mustering Assistant. In the year 1991, the services were terminated. The petitioner filed proceedings before the Labour Court. The Labour Court allowed the petition and was directed to be reinstated, however, permanency was not granted to the petitioner. The learned counsel submits that the petitioner's services be counted from the initial date of appointment for all purposes.

2. We have heard the learned A.G.P. for respondent Nos. 1 and

2. In fact, the issue as is raised by the petitioner has been decided by us. It is only in those cases, wherein, the Labour Court had granted permanency, such candidates were directed to be treated for all purpose from the initial date of appointment.

3. In the present matter, the petitioner claims to have been absorbed as a regular employee in the year 2004. The same was pursuant to the scheme formulated by the Government and the G.R. dated 01.11.1995. In such cases, it will not be possible to accept the contention of the petitioner that the petitioner's services shall be counted from the initial date. However, the petitioner's services will counted as a regular service for all purposes since the date of absorption. With these observations, writ petition is disposed of. No costs.

(MANGESH S. PATIL, J.)

(S. V. GANGAPURWALA, J.)

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