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

WRIT PETITION NO.6986 OF 2011

1. Ramkrishna s/o Dagdu Hange,
Age: 51 years, Occu: Service
Civil Engineer Assistant at
Z.P. Minor irrigation, Patoda,
R/o. Patoda, Tq. Patoda,
Dist. Beed
2. Shaikh Roufoddin Isakoddin,
Age: 48 years, Occu: Service
Civil Engineer Assistant at
Z.P. Minor irrigation, Patoda,
R/o. Patoda, Tq. Patoda,
Dist. Beed
3. Prabhakar s/o Karbhari Yadav,
Age: 49 years, Occu: Service C.E.A.,
R/o. Mitra Nagar, Samta Colony,
Beed, Tq. & Dist. Beed
4. Bhima s/o Gangaram Nawale,
Age: 48 years, Occu: Service C.E.A.,
R/o. Pali, Tq. & Dist. Beed
5. Shivkumar s/o Vasantrao Jawlekar,
Age: 49 years, Occu: Service C.E.A.,
R/o. Pathangan Galli, Juna Bazar,
Beed, Tq. & Dist. Beed

..PETITIONERS

VERSUS

1. The State of Maharashtra,
Through it's Secretary,
Rural Development Department,
Mantralaya, Mumbai
2. The Chief Executive Officer,
Zilla Parishad, Beed
3. The Executive Engineer,
Works Department No.1,
Zilla Parishad, Beed

..RESPONDENTS

(2)

Mr V. S. Panpatte, Advocate for petitioners;
Mr A. R. Kale, A.G.P. for respondent /State;
Mr N. L. Jadhav, Advocate for respondent Nos.2 & 3

**CORAM : PRASANNA B. VARALE
AND
S. M. GAVHANE, JJ.**

DATE : 3rd January, 2019

ORAL JUDGMENT:

Heard Mr Panpatte, learned Counsel appearing on behalf of the petitioners, learned Asstt. Govt. Pleader appearing on behalf of respondent No.1 and Mr Jadhav, learned Counsel appearing on behalf of respondent Nos.2 and 3.

2. By way of present petition, these five petitioners challenge the notice dated 29th August, 2011. The petitioners were absorbed in the service of Zilla Parishad by accepting a settlement deed as Maruph settlement. By this communication/notice, it was informed to the petitioners that, as they have accepted Maruph settlement, they would not be entitled for the benefits, such as, promotions and retirement benefits.

3. While issuing notice dated 14th September, 2011, by way of ad interim relief, the parties were directed to maintain status quo as on the date. Though the replies are filed on behalf of respondent Nos.2 and 3 to the petition, Mr Jadhav, learned Counsel appearing on behalf of respondent

(3)

Nos.2 and 3 submitted that during the pendency of the petition, a development occurred in the form of Government Resolution issued by the State Government. Mr Jadhav invited our attention to said Government Resolution dated 6th July, 2018 which is placed on record and marked 'X' for identification.

4. Perusal of the Government Resolution dated 6th July, 2018 shows that the issue was pending consideration before the State Government and the State Government thought it fit to grant the benefits to 616 employees working under the various Zilla Parishads, namely, Beed Zilla Parishad, Latur Zilla Parishad and Osmanabad Zilla Parishad. These employees are given benefits of Kalelkar Settlement. The Resolution shows that this was a concerning demands raised to the State Government and the State Government has decided to remove anomaly by the Resolution dated 6th July, 2018. Now, these benefits are granted subject to certain conditions which are referred to in the said Resolution.

5. As the State Government has taken a positive decision by way of Government Resolution dated 6th July, 2018, the grievance of these petitioners is addressed by the State Government and redressed by grant of benefits of the Kalelkar settlement to 616 employees working in various Zilla Parishads.

(4)

6. In view of this fact, nothing survives in the petition. The petition is accordingly disposed of. Rule stands discharge accordingly.

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)

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