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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.4177 OF 2015

Sandesh Gajanan Gavand and others	..Petitioners
Versus	
State of Maharashtra and others	..Respondents

Mr. Aniket P. Ranade, Advocate for the Petitioners.
Mrs. Shruti D. Vyas, “B” Panel Counsel for Respondent – State.
Mr. N. P. Deshpande, Advocate for Respondent Nos.5 & 6.

**CORAM: B. R. GAVAI &
DAMA SESHADRI NAIDU, JJ.**

DATE: 2nd APRIL, 2019

P.C.:-

1] Petitioners have approached this Court being aggrieved by the order dated 09/09/2014 passed by Respondent No.2. It is the contention of the Petitioners that the Petitioners have been illegally shown as juniors to Respondent Nos. 4 to 8.

2] Petitioners are teachers, who were initially working on the Establishment of Raigad Zilla Parishad. On their own request, they were transferred to the Establishment of Respondent No.2 i.e. Uran Nagar Parishad. While absorbing them, it was made clear that their

seniority would be counted on the Establishment of Respondent No.2 from the date of their entry in service of Respondent No.2.

3] It is the contention of the Petitioners that though Respondent Nos. 4 to 8 have entered prior to the Petitioners entering into Establishment of Respondent No.2, still they are liable to be shown below the Petitioners, inasmuch as their period of working as Shikshan Sevaks is completed after the entry of the Petitioners in the Establishment of Respondent No.2.

4] We find that the contention of the Petitioners is without substance. Though Shikshan Sevaks are appointed after due selection process for discharging the duties as teachers, only for saving government funds, initially, they are appointed as Shikshan Sevaks for a period of three years during which period they get only a fixed amount as salary. Upon satisfactory completion of period of three years, they are entitled to get regular salary in the scale of Assistant Teachers. There is something like appointment of a probationer. A probationer, though completes probation, subsequently he is entitled

to get seniority from the date of his initial appointment.

5] In that view of the matter we are not inclined to entertain this Petition. Petition is rejected.

(DAMA SESHADRI NAIDU, J.)

(B. R. GAVAI, J.)