

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

916 WRIT PETITION NO.4390 OF 2017

Govind S/o Keshav Jadhav
Age : 42 years,
Occ. Seasonal Spraying Worker,
R/o. Kiroda, Post.Golegaon Tq. Loha,
Dist. Nanded.

... PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Public Health Department,
Mantralaya, Mumbai-32.
 2. The Joint Director,
Health Service (Maleriya),
Arogya Bhavan, in front of
Vishrantwadi Police Station,
Yerwada, Pune.
 3. The Collector, Osmanabad/President,
District Selection Committee,
Osmanabad, Tq. & Dist. Osmanabad.
 4. The Chief Executive Officer,
Zilha Parishad, Osmanabad,
Tq. & Dist. Osmanabad.
 5. The District Health Officer,
Zilha Parishad, Osmanabad,
Tq. & Dist. Osmanabad.
 6. The District Maleriya Officer,
Nanded, Tq. & Dist. Nanded.
- ... RESPONDENTS

Mr. V. R. Jain (Kamboj), Advocate for the petitioner
Mr. P. P. More, Advocate for respondent Nos. 4 and 5
Mr. S. D. Ghayal, AGP for the respondents/State.

**CORAM : Z.A. HAQ &
S.M. GAVHANE, JJ.
DATED : 04.03.2020**

ORAL JUDGMENT:-

. Heard learned advocates for parties.

02 Rule. Rule made returnable forthwith.

03. Learned advocate for the petitioner has pointed out the judgment passed by this Court in Writ Petition No. 5796 of 2017 on 28th August 2019, accepting the challenge raised in that petition and granting relief to the petitioner in that petition. Learned advocate for the petitioner submitted that the facts of the present case are similar to the facts of the case of **Anand S/o Jagdeo Shinde** (petitioner in Writ Petition No. 5796 of 2017). It is submitted that in view of the above referred judgment, the present petition is also required to be allowed.

04. Learned advocate appearing for the respondent Nos. 4 and 5 could not counter the submission made by learned advocate for the petitioner.

05. Accepting the submission made on behalf of the petitioner and relying on the judgment in the case of

Anand S/o Jagdeo Shinde, Rule is made absolute in terms of prayer clauses (C) and (D). The communication issued by the Chief Executive Officer, Zilla Parishad, Osmanabad on 03/03/2017 is quashed and the respondent Nos. 3 and 4 are directed to appoint the petitioner on the post of Health Worker (Male) with effect from 01st April 2020.

. In the circumstances, the parties to bear their own costs.

[S.M.GAVHANE,J.]

[Z. A. HAQ,J.]