

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

38 WRIT PETITION NO.3259 OF 2021

**MANGLA SANTU CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner: Mr. Bhalerao R. D.
AGP for Respondents/State: Mr. S. G. Karlekar

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**CORAM: S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATE: 22nd FEBRUARY, 2021

PER COURT:

1. The petitioner claims to be working as Kamathi in the Government Aided Post Basic Secondary Ashram School, Ghatghar, Tq. Akole, District Ahmednagar since 2009. The petitioner seeks regularisation of service. The petitioner relies on the judgment of this Court in Writ Petition No. 5867 of 2015 with connected writ petitions, decided under judgment and order dated 31.10.2018.

2. The factual matrix does not appear to be disputed. The Ashram School is run under the Tribal Development Department in a tribal area.

The petitioner completed ten years and more service. We had, in our judgment dated 31.10.2018 in Writ Petition No. 5867 of 2015 and connected writ petitions considered the plight of these persons working in tribal areas and granted them regularisation.

3. For the reasons recorded in the judgment and order dated 30.10.2018 in Writ Petition No. 5867 of 2015 and connected writ petitions, we allow the writ petition and pass the following order:

ORDER

(i) The respondents shall regularise the services of the petitioner with effect from the date the petitioner has completed ten years of service or on the date of filing of the writ petition, whichever is later.

(ii) For all practical purposes, the services of the petitioner shall be considered regular from the date, as observed above. The petitioner will not be entitled for actual financial benefits for the period

prior to the present order. The petitioner would be entitled for regular pay-scale from the date of filing of petition, i.e. 20.01.2021.

4. Writ petition is accordingly disposed of. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

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