

The Commissioner, Nashik Municipal Corporation and Anr.	Respondents
---	-------------

Ms. M.S. Bane -AGP for the State.

4. The learned counsel for the petitioners submits that the work of Sewage Pumping Station was given to M/s. Badgujar and Company. The petitioner had worked under a contract for about three months from 01.08.2006 to 31.10.2006. Prior to that the plant was operated and maintained by M/s. Badgujar and Company from 01.08.2003 to 31.07.2006.

5. According to the petitioner, the Nashik Municipal Corporation had paid the entire amount to the company. Thereafter, a fresh tender notice was issued on 10th September 2006. The contract was given to M/s. Chimatch Project Private Limited. The work was not executed by the second company.

6. The Petitioners are seeking directions to implement the resolution passed by the Nashik Municipal Corporation on 20th July 2010. The resolution was passed in favour of 22 workers including the petitioners that the said workers can be considered for the purpose of appointment of regular basis by the Nashik Municipal Corporation. The said resolution is not implemented till today.

7. The learned counsel for the respondent has submitted that the petitioners are not working with the Corporation since 2008 and that the resolution has been passed in 2010. However, no further action is taken to implement the said resolution.

8. In the facts of the case the petition seeking the said relief is not maintainable. However, in the eventuality that there are vacancies

in the same category in which the petitioner is working and in the eventuality the petitioner filed an application. The Nashik Municipal Corporation may consider their applications sympathetically.

9. The learned counsel for the respondent has submitted that at present there is no process of recruitment in progress.

10. The petition is disposed of with the above directions.

(SARANG V. KOTWAL, J)

(SMT. SADHANA S. JADHAV, J)