

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 14570 OF 2018

Mr. Girish Laxman Suryawanshi and Ors.Petitioners
Versus
The State of Maharashtra Through
Secretary and Ors.Respondents

Mr. Pralhad P. Paranjape - Adv. For the Petitioner

Mr. R. S. Pawar – AGP for Respondent Nos. 1 to 5

Ms. Bhairavi Ranpise – for Respondent Nos. 6 and 7

**CORAM : PRASANNA B. VARALE &
S. M. MODAK, JJ.**

DATE : 3rd DECEMBER, 2021.

P.C. :

1. Heard the learned counsel for the Petitioners.
2. The submission is, the Petitioners entered in the service in the State of Maharashtra as Health Workers in General and laboratory technicians in particular.
3. It is then submitted that as the State was affected by Malaria in the decade of 1990's, there was a need of health workers and accordingly, the Petitioners and alike persons were engaged in the health department and in the Tribal welfare departments, for the reasons that certain Tribal area was also largely affected by the disease. Then there was also need of the health workers in the Naxal affected areas. The health workers so appointed were providing continuous service to the State in the Rural areas, Urban areas, Tribal areas and Naxal areas and considering their continuous services for more than 12 years, the State Government thought

it fit to frame a policy so as to provide certain promotional avenues to such workers.

4. The learned counsel invited our attention various Government circulars placed on record wherein the benefits in the nature of the promotional avenues as well as certain incentives are granted to the health workers.

5. The benefit of the promotional avenues was granted to Group B category employees. It is submitted by the learned counsel for the Petitioners that though the Petitioners were in Group C category, the nature of the duties and the service being provided by the health workers in Group C categories were at par with the service of Group B category. As the Petitioners had grievance that the discriminatory treatment is given to them, they approached the State Government by filing representations.

6. The learned counsel submitted that a detailed representation was submitted to the State of Maharashtra and the Secretary Public Health Department alongwith referring to all the details and copies of the necessary Government Resolutions, the material data etc.

7. The learned counsel for the Petitioners submitted that the State Government has undertaken an exercise of fixing of the staffing pattern by taking into consideration, the availability of the posts in various departments. It is then submitted that though some representations were submitted through concerned Zilla Parishad, there was no positive response to the representations.

8. Thus, it can be said that a very limited grievance is raised in the petition and that is of inaction on the part of the State authorities that is not deciding the representations submitted by the Petitioners way back in the year 2017.

9. Considering the above referred fact, we are of the opinion that the

petition itself can be disposed of with direction to Respondent No. 1 – State of Maharashtra as well as the Respondent No. 2 – Secretary Public Health Department to decide the representation dated 27/04/2017 as expeditiously as possible.

10. We are further to state that as representation was submitted to the authorities to the State and Secretary in the year 2017, there is very possibility that the Respondent-State and Respondent No. 2 may face some difficulty to locate the representation, as such we permit the Petitioners to submit a fresh copy of the very representation dated 27/04/2017 in the office of Secretary Public Health Department within two weeks from today. On receipt of such copy of the representation, the Respondent Nos. 1 and 2 to decide the representation as expeditiously as possible and not later than 12 weeks from today.

11. Accordingly, writ petition stands disposed of.

12. All concerned to act upon authenticated copy of this order issued by the Registry of this Court.

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)