

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 779/2018

Nilesh S/o Dhanraj Ganeshe,
Aged 36 years, Occupation Service,
R/o Sidaji Maharaj Vetal, Patur,
Tq. Patur, District – Akola.

PETITIONER

.....VERSUS.....

1. Zilla Parishad, Akola,
through its Chief Executive Officer,
District – Akola.
2. The Education Officer (Primary),
Zilla Parishad, Akola.
3. The Block Development Officer,
Panchayat Samiti, Patur,
Tq. Patur, District – Akola.

RESPONDENTS

Shri R.D. Karode, counsel for the petitioner.
Shri M.V. Bute, counsel for the respondent no.1.

CORAM : A. S. CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.
DATE : 28TH JUNE, 2022.

ORAL JUDGMENT (PER : A.S. CHANDURKAR, J.)

RULE. Rule made returnable forthwith and heard the learned counsel for the parties.

2. It is submitted by the learned counsel for the petitioner that the challenge as raised in this writ petition to the order passed by the Chief Executive Officer, Zilla Parishad Akola dated 22.01.2018 putting an end to the petitioner's services has been considered in various writ

petitions including **Writ Petition No.6956 of 2017** [*Yogita Marotrao Khope @ Yogita Manoj Wadkar Versus State of Maharashtra & Others*] decided on 05.04.2018 and **Writ Petition No.7089 of 2017** [*Kiran Ramdas Lahanne Versus The Chief Executive Officer & One*] decided on 24.04.2018. After following those judgments this Court has disposed of various writ petitions and has set aside a similar order as impugned in this writ petition.

The learned counsel for the Zilla Parishad does not dispute this aspect.

3. Hence, for reasons recorded in the judgment delivered in Writ Petition No.6956 of 2017 as well as Writ Petition No.7089 of 2017, the impugned order dated 22.01.2018 is quashed and set aside. It is clarified that by virtue of the impugned order, there will be no break in service of the petitioner. The services of the petitioner shall be considered from his initial date of appointment.

4. Rule is made absolute in aforesaid terms. No costs.

(URMILA JOSHI-PHALKE, J.)

(A.S. CHANDURKAR, J.)

APTE

Signed By: Digitally signed
by ROHIT DATTATRAYA
APTE
Signing Date: 30.06.2022 10:13