

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.3163/2021

Ku. Ashwini Ravi Salame and Ors. ... Petitioner

Versus

State of Maharashtra through its ... Respondents
Secretary, Department of Rural
Development Department and Water
Conservation, Mantralaya, Mumbai and
Ors.

Mr. P. S. Khubalkar, Advocate for petitioners.

Mr. K. L. Dharmadhikari, A.G.P for respondent nos. 1,2 & 5.

Mr. A. Parihar, Advocate for respondent nos. 3 and 4.

CORAM : ROHIT B.DEO & ANIL L. PANSARE, JJ.

DATE : AUGUST 26, 2022.

P.C.

The petitioners have put forth the following prayers:

“1. Hold and declare that the petitioners are entitled for regularization on their posts of Laboratory Assistant on the establishment of the Zilla Parishad Gondia from the date of their initial appointments with all consequential benefits.

2. direct the respondents to regularize the services of the petitioners as Laboratory Assistants in pursuance of their appointment orders from the date of their appointments and direct the respondents to grant to the petitioners all the consequential benefits of their service, including continuity of service, increments and other benefits.”

2. On 04.08.2022, following order was passed:

“Stand over to 24.08.2022 for final disposal.

2. The respondents may file their affidavit in response in the meanwhile.

3. The respondents 3 and 4 shall clarify on affidavit whether similarly situated employees are regularized, and if yes, the justification for not extending similar benefit to the petitioner.”

3. In compliance, an affidavit is tendered by respondent nos. 3 and 4, admitting that similarly situated employees have been regularized. The affidavit, however, does not contain the justification for not extending the similar benefit to the petitioners.

The affidavit is taken on record and marked “X” for identification.

4. Mr. Parihar, learned Advocate for the respondent nos. 3 and 4 submits that the benefit would be extended to the petitioners, in accordance with law.

5. We direct the respondent nos. 3 and 4 to confer the benefit upon the petitioners, in accordance with the Rules within eight weeks from today.

6. With these observations, the writ petition stands disposed of.

(Anil L. Pansare, J.)

(Rohit B. Deo, J.)

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