

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

WRIT PETITION NO. 1295 OF 2022

Atul s/o Parasram Gedam & Ors.

-- Petitioner/s

Vs.

Ministry of Ayush & Anr.

-- Respondent/s

Mr. R.B. Khan, Advocate for the Petitioners.

Ms. Sushma, Advocate for the Respondents.

CORAM : NITIN JAMDAR &  
ANIL L. PANSARE, JJ.

DATE : 7 MARCH 2022

P. C. :

Heard learned counsel for the parties.

2. The Petitioners, who are working with Respondent No.2 are seeking a direction that their services be regularized by making them permanent and also to permit them to work.

3. Learned Counsel for the Respondents states that the Petitioners are employed by outsourcing, which assertion is controverted by the Petitioners.

4. The Petitioners are admittedly not appointed as regular employees after following the necessary selection process. The Petitioners are seeking a writ that they may be made permanent,

meaning thereby they should be regularized on the posts. This relief cannot be granted under Article 226 of the Constitution of India in view of the decision of the Hon'ble Apex Court in the case of *Secretary, State of Karnataka And Others Vs. Umadevi (3) And Others*<sup>1</sup>. If the Petitioners have any right to claim permanency, it is open to the Petitioners to approach the industrial adjudicator, if in law it is permissible to do so.

5. With these observations, the Writ Petition is rejected.

[ ANIL L. PANSARE, J. ]

[ NITIN JAMDAR, J. ]