

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

84 WRIT PETITION NO.2788 OF 2021

**GANESH NARAYAN NAGARGOJE
VERSUS
THE STATE OF MAHARASHTRA THR ITS THE SECRETARY AND OTHERS**

...

Advocate for the Petitioner : Mr. Nagarsoge Sahebrao A.
A.G.P. for the Respondent Nos. 1 to 4 : Mr. A.S. Shinde
Advocate for Respondent Nos. 5 & 6 : Mr. P.D. Suryawanshi

**WITH
WRIT PETITION NO. 2789 OF 2021**

**GINYANDEV NAMDEV RATHOD
VERSUS
THE STATE OF MAHARASHTRA THR ITS SECRETARY
AND OTHERS**

...

Advocate for the Petitioner : Mr. Nagarsoge Sahebrao A.
A.G.P. for the Respondent Nos. 1 to 4 : Mr. A.S. Shinde
Advocate for Respondent Nos. 5 & 6 : Mr. P.D. Suryawanshi

...

**WITH
WRIT PETITION NO.2807 OF 2021**

**ASMITA DEVIDAS TARKASE
VERSUS
THE STATE OF MAHARASHTRA THR ITS SECRETARY
AND OTHERS**

...

Advocate for the Petitioner : Mr. Nagarsoge Sahebrao A.
A.G.P. for the Respondent Nos. 1 to 4 : Mr. A.S. Shinde
Advocate for Respondent Nos. 5 & 6 : Mr. P.D. Suryawanshi

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 10.07.2023

PER COURT :

Heard both the sides.

2. In fact, the dispute has already been considered by this Court in a speaking order dated 29.06.2022 and only the respondent- Zilla Parishad was to consider and take an appropriate decision in the light of the observations made therein. Till date there is no progress. The order reads as under :

“ Head learned Counsel for the parties.

2. The petitioners, by these petitions, are seeking continuity of service. The petitioners were terminated. By subsequent orders dated 7 February 2020, 10 February 2020 and 7 February 2020 in respective writ petitions, they have been reinstated. However, Clause-7 of the order of reinstatement stipulates that the previous service shall not be reckoned for any purpose. Thus, the Chief Executive Officer of respondent-Zilla Parishad has refused to grant continuity of service, which brings the petitioners to this Court.

3. Learned counsel for the petitioners has brought to our notice order dated 29 January 2018 passed by the Additional Commissioner, Aurangabad, Division Aurangabad in which the Additional Commissioner, after verifying the record in respect of as many as 141 teachers and after going through the report submitted by the Zilla Parishad, has found that the appointments of the teachers to ‘Vasti Shalas’ are regularly done as per the law and thereafter has proposed for regularization of the services.

4. In view of this, the respondent – Zilla Parishad shall reconsider the issue of grant of continuity of service on its own merits and in the face of the order passed by the Additional Commissioner, within a period of four weeks

from today.

5. For the present, stand over to 2 August 2020”

3. We dispose of the writ petitions by directing the respondent- Chief Executive Officer Zilla Parishad Beed to reconsider the issue regarding grant of continuity of service as was directed by us, as expeditiously as possible and in any case within four weeks from today.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-