

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

WRIT PETITION NO.6059 OF 2023

**DATTA SOMA BARAMATE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

...
Advocate for Petitioner : Mr. Bhalerao Rajendrakumar D
AGP for Respondents/State: Mr. P. S. Patil

...
**CORAM : MANGESH S. PATIL &
S. G. CHAPALGAONKAR, JJ.**

DATE : 08.06.2023

PER COURT :

. Heard the learned advocate for the petitioner as also the learned AGP.

2. The petitioner seeks to derive the benefit of the decision of this Court. According to him, similarly situated persons were granted regularization in the service as Government Ashram School Drawing Teachers in the Secondary Ashram School.

3. It is pointed out by the learned AGP that pursuant to the directions of this Court in Writ Petition No.5867/2015 dated 31/10/2018, the Government had taken policy decision and has regularized the services of several persons including those who were not before this Court as petitioners. There were 645 such employees who were not parties before this Court and still their claims were considered and they were granted the benefit.

4. It does appear that the petitioner is content in pointing out as to how he is also entitled to derive the same benefit but fails to point out as to if, he had himself initiated the request by making appropriate representation to the authorities. If at all, he is entitled to derive such benefit, he could have easily approached the authorities with a request but instead has straight a way approaching this Court seeking a writ of mandamus.

6. Needless to state that, the petitioner's entitlement for regularization would depend upon several factors which can be gone into by the authorities only.

7. We dispose of the petition permitting the petitioner to make appropriate representation to the authorities making out all the facts which are *sine qua non* for his entitlement to seek regularization. On such representation being made, the authorities may consider it on its own merits. We have not expressed anything on merits.

(S. G. CHAPALGAONKAR, J.)

(MANGESH S. PATIL, J.)

Sameer