

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

WRIT PETITION NO. 7211 OF 2019

(Pramod Prabhakar Ghotekar & Anr. Vs. State of Maharashtra & Ors.)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders.

Court's or Judge's order

Shri P.P. Thakre, Advocate for the petitioners.

Shri A.A. Madiwale, Assistant Government Pleader for respondent Nos. 1 and 2/
 State.

Shri O.A. Ghare, Advocate for respondent Nos. 3 and 4.

CORAM : A. S. CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ.

DATE : JANUARY 7, 2023

By this Writ Petition, the petitioners who are employed as Contractual Teachers with the Municipal Council, Kalmeshwar seek regularization of their services for having rendered more than ten years of service. They pray for a direction to be issued to the Municipal Council to absorb their services. The petitioners seek to rely upon the order passed in *Pramod Ghotekar and another Vs. Head Master/ Principal, Nagar Parishad Jr. College, Kalmeshwar [Writ Petition No. 4453/2015 decided on 14/6/2016]* wherein the Municipal Council was granted leave to publish an advertisement for filling-in the concerned posts on permanent basis. The grievance of the petitioners is that without undertaking this exercise, the Municipal Council has passed a Resolution on 19/4/2018 resolving to close down permanent/ no grant classes of Standards 8 to 12 in a phased manner. It is thus submitted that the Municipal Council was not justified in disregarding the earlier order and passing the Resolution dated 19/4/2018.

Having heard the learned Counsel for the parties and having perused the documents on record, we find that by passing Resolution dated 19/4/2018, the Municipal Council has resolved to close down classes of Standards 8 to 12 that were being run on no grant basis/ permanent no grant basis. As long as the said Resolution operates, the prayer for regularizing the services of the petitioners cannot be considered. It can only be observed that in case there is any fresh cause for the petitioners to seek regularization of their services, they are free to

pursue the same in accordance with law. For the present, the parties would be governed by the Resolution dated 19/4/2018.

With these observations, the Writ Petition is disposed of. No costs.

(MRS. VRUSHALI V. JOSHI, J.)

(A. S. CHANDURKAR, J.)

SUMIT