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

921 CIVIL APPLICATION NO. 564 OF 2024
IN PIL/98/2021

SHRI SAIBABA SANSTHAN SHIRDI, THR ITS
ADMINISTRATIVE OFFICER
VERSUS

THE STATE OF MAHARASHTRA

....

Mr A. S. Bajaj, Advocate for Applicant;

Mr A. B. Girase, G.P. for Respondent/State

Ms Vishakha Patil, Advocate h/f Talekar & Associates/Petitioner
in PIL

Mr S. V. Dixit, Mr Amol Sawant, Mr Amol Gandhi, Mr S. S.
Thombre, Mr R. R. Karpe and Mr P. V. Barde, Advocates for
Applicants/Intervenors

**CORAM : RAVINDRA V. GHUGE
AND
R. M. JOSHI, JJ.**

DATE : 15th March, 2024

PER COURT:

1. The Applicant Shree Sai Baba Sansthan Trust has put forth prayer clause (B), which reads as under :-

“(B) The Applicant may kindly be permitted to implement the Circulatory Resolution dated 20.12.2023 passed by Ad-hoc Committee fro inviting E-tenders for the appointment of New Labour Contractors for supply of Unskilled & Skilled Contract Workers for the year 2024-25 for which an estimated amount of Rs. 56,38,78,700/- (Fifty Six Crore Thirty Eight Lacs Seventy Eight Thousand Seven Hundred Only) is likely to be spent.”

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2. We have perused the Circulatory Resolution dated 20/12/2023. We are informed that the learned Principal District Judge, who is the chair person of the Adhoc Committee, constituted by the High Court, has approved the said Resolution.

3. We are dealing with several Civil Applications filed by several daily wagers and contractual employees. In relation to the said Applications, we have passed extensive orders on 11/08/2023, 27/10/2023 and 09/11/2023. We have recommended to the Government to explore a possibility of introducing a one time scheme for granting regularization of that number of workforce, which the Sansthan requires on regular basis all around year, on the basis of the law laid down by the Hon'ble Supreme Court in **Secretary, State of Karnataka and others Vs. Uma Devi (3) and others, (2006) 4 Supreme Court Cases 1**, and **State of Karnataka and others Vs. M. L. Kesari, 2010 (9) SCC 247**.

4. We are apprised by the learned Advocate Shri. Bajaj appearing for the Sansthan that, pursuant to the direction of this Court in paragraph No.10 of the order dated 27/10/2023 in Civil Application No.8707/2023, though a new Contractor is engaged

(3)

in view of the mandate of inviting E-tenders, the contractual workers, who are working in the Sansthan, notwithstanding the change of the contractors over the years, have been adopted and continued. The same practice would be followed.

5. Considering the above, **this Civil Application is allowed** in terms of prayer clause (B). Needless to state, this arrangement would be subject to the demand of regularization by the temporaries, daily wagers and contractual employees before us.

(R. M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)

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