



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

**913 CIVIL APPLICATION NO. 1720 OF 2024  
IN WP/15095/2023**

**KISHOR LOTAN MALI AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND OTHERS**

...  
Advocate for Applicant : Mr. Shinde Balaji S.  
AGP for Respondents/State : Mr. P.K. Lakhotiya  
...

**CORAM : RAVINDRA V. GHUGE &  
R.M. JOSHI, JJ.  
DATE : 7<sup>th</sup> March, 2024**

**PC. :-**

1. In identical set of circumstances, vide order dated 21.12.2023 in Writ Petition No.7057/2023 (Pradip Motiram Mule and Ors. V/s. State of Maharashtra and Ors.) this Court, at the Principal Seat, has recorded that those Petitioners having experience of more than three years would be considered along with other candidates and they should not be declared ineligible because they do not have the experience of six years. A similar order was passed by this Court at the Nagpur Bench dated 12.12.2023 in Writ Petition No.8191/2023 (Somnath s/o Sureshrao Lomate and Ors. V/s. The State of Maharashtra and Ors.) wherein, a similar order was passed considering Clause (XXIX) of sub-section (2) of Section 27 of the Maharashtra Zilla Parishads and

Panchayat Samities Act, 1961 and the Maharashtra Zilla Parishads District Services (Recruitment) (Second Amendment) Rules 2014, by which completion of three years of continuous service in the Zilla Parishad on the post of Trained Graduate Primary Teacher was the required qualification to be considered for the appointment of Cluster Head (Kendra Pramukh).

2. The Petitioners before us specifically aver that they have more than three years of such experience.

3. In view of the above, **this Application is allowed.** If the Petitioners have experience of more than three years, their candidature may be considered for the position of Cluster Head and they would not be held ineligible only because their experience is less than six years.

[R.M. JOSHI, J.]

[RAVINDRA V. GHUGE, J.]