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

903 WRIT PETITION NO. 6074 OF 2024

Suvarna Madhukar Thorat and another
VERSUS
The Union of India, through its Secretary and others

AND

904 WRIT PETITION NO. 6076 OF 2024

Yogita Bhausahab Kale and others
VERSUS
The Union of India through its Secretary and others

AND

905 WRIT PETITION NO. 6078 OF 2024

Mangal Pandurang Shingane and others
VERSUS
The Union of India through its Secretary and others

AND

906 WRIT PETITION NO. 6086 OF 2024

Amruta Bandu Kachave and others
VERSUS
The Union of India through its Secretary and others

AND

907 WRIT PETITION NO. 6087 OF 2024

Seema Sateesh Ingale and others
VERSUS
The Union of India through its Secretary and others

AND

(2)

908 WRIT PETITION NO. 6145 OF 2024

Surekha Rangnath Sonawane and others
VERSUS
The Union of India through its Secretary and others

AND

909 WRIT PETITION NO. 6156 OF 2024

Nasrin Mehbubkhan Pathan and others
VERSUS
The Union of India through its Secretary and others

AND

910 WRIT PETITION NO. 6157 OF 2024

Suvarna Popatrao Bhokre and others
VERSUS
The Union of India through its Secretary and others

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Mr Pramod A. Kulkarni, Advocate for Petitioners in all Petitions;
Mr R. B. Bhosale, Mr B. B. Kulkarni, Mr A. N. Patale, Standing
Counsel for Respondent No.1 in respective Petitions
Mr S. K. Tambe, Mr M. M. Nerlikar, Mr S. J. Salgare, Ms Neha
Kamble and Mr S. R. Yadav Lonikar, A.G.Ps. for
Respondents/State in respective Petitions
Mr S. B. Pulkundwar, Advocate for Respondent Nos.5 & 6 in Writ
Petition Nos.6074/2024, 6076/2024, 6078/2024 & 6086/2024
Mrs Kavita Bhale, Advocate for Respondent Nos.5 & 6 in Writ
Petition Nos.6087/2024, 6145/2024, 6156/2024 & 6157/2024

CORAM : RAVINDRA V. GHUGE

AND

Y. G. KHOBRAGADE, JJ.

DATE : 26th June, 2024

PER COURT:

1. In all these Writ Petitions, the Petitioners have sought inclusion of their post as 'Block Facilitator' under the head of National Rural Health Mission (NRHM) Scheme, which is operated in collaboration, of the Union of India and the State of Maharashtra. They have also prayed for their regularization. It is not in dispute that they are contractual employees and are engaged under the scheme.

2. The learned A.G.P. has opposed these Writ Petitions, inasmuch as, submits that this Court should not issue Writ of Mandamus in the light of the following judgments :-

- (a) Secretary, State of Karnataka and others Vs. Umadevi(3) and others, (2006) 4 Supreme Court Cases 1;
- (b) Satya Prakash and others Vs. State of Bihar and others, (2010) 4 Supreme Court Cases 179;
- (c) Yogesh Mahajan Vs. Professor R.C. Deka, Director, All India Institute of Medical Sciences, (2018) 3 Supreme Court Cases 218; and

(4)

(d) Union of India Vs. Ilmo Devi & Others, AIR 2021 Supreme Court 4855.

3. The learned Advocate for the Petitioners submits on instructions that the Petitioners are desirous of withdrawing these Writ Petitions, so that they can approach the Appropriate Authority under the Industrial Disputes Act, 1947 or under the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 (for short 'MRTU & PULP Act'), for the redressal of their grievance.

4. In view of the above, **all these Writ Petitions are disposed off**, as withdrawn on instructions. If the Petitioners raise an industrial dispute under the provisions of Section 2(k) of the Industrial Disputes Act or if they move any proceeding under the MRTP and PULP Act, the contentions of all the parties are kept open.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

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