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

992 WRIT PETITION NO. 11271 OF 2019

RAJU SHIVA ANKUSHE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

....

Mr N. L. Choudhari, Advocate for Petitioner;
Mr S. B. Narwade, A.G.P. for Respondent No.1
Mr N. N. Desale, Advocate for Respondent No.2

**CORAM : RAVINDRA V. GHUGE
AND
Y. G. KHOBRAGADE, JJ.**

DATE : 13th February, 2024

PER COURT:

1. The learned Advocate for the Petitioners and the learned Advocate representing Respondent No.2/Dhule Municipal Corporation have jointly mentioned this matter, out of turn. It is informed that this matter would be covered by the recent order of this Court, dated 05/02/2024 in Writ Petition No.7963/2021 (Suklal Jagannath Garud and others Vs. State of Maharashtra and another).

2. In view of the above and by the consent of the parties, **this Petition is disposed off.** The Petitioners in this Petition would be covered by our observations and directions in paragraph

(2)

Nos.5 and 6 of the order dated 05/02/2024, which are reproduced here under for ready reference :-

“5. In view of the above, we direct the Respondent/ Corporation to prepare a proposal of all such ‘badli workers’, going by their seniority, in the light of Clause 12(d) of the order dated 30/11/2016, reproduced above. All ‘badli workers’ would figure in the said proposal going by their seniority. The proposal would also contain the number of vacancies available with the Corporation. Such proposal of all similarly situated ‘badli workers’ shall be prepared within 30 days and shall be forwarded to Respondent No.1/Urban Development Department, who would consider the said proposal, depending upon vacancies available.

6. Since the learned Advocate for the Corporation has informed us that, there are several ‘daily wagers’ working with the Corporation even today, a proposal of the ‘daily wagers’ will also be prepared and forwarded to Respondent No.1 within 30 days. While considering such proposals, Respondent No.1 would assess, as to whether any of the ‘badli workers’ can be said to be working as ‘daily wagers’, if they are found to be continuously and in the uninterrupted service of the Corporation. Needless to state, the ‘daily wagers’ would be given first preference for regularization and if permanent posts are still available and any ‘badli worker’ is found to be working continuously and in the uninterrupted service, the direction set out in Clause 12 (d), would be made applicable for considering such case for regularization.’

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)