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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 9549 OF 2024
IN
SUO MOTU PUBLIC INTEREST LITIGATION NO.1 OF 2023**

Jan Arogya Abhiyan .. Applicant

In the matter between:

High Court of Judicature at Bombay
on its own .. Petitioner

Versus
The State of Maharashtra & Ors. .. Respondents

**WITH
INTERIM APPLICATION NO. 7920 OF 2024
IN
SUO MOTU PUBLIC INTEREST LITIGATION NO.1 OF 2023**

Maharashtra Asha Gat Pravartak
and Arogya Karmachari Sanghna, Sangli .. Applicant

In the matter between:

High Court of Judicature at Bombay
on its own .. Petitioner

Versus
The State of Maharashtra & Ors. .. Respondents

Ms. Lara Jesani a/w Ms. Pritha Paul for applicant in
IA/9549/2024.

Ms. Sudha Bharadway for applicant in IA/7920/2024.

Mr. Mohit Khanna, Amicus Curiae.

Mr. P. P. Kakade, Government Pleader with Mr. O. A.
Chandurkar, Addl. Govt. Pleader and Mrs. G. R.
Raghuwanshi, AGP for respondent-State.

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
AMIT BORKAR, J.**

DATE: 30th AUGUST, 2024

P.C.:

IA/9549/2024:

1. This Interim Application has been moved by the applicant – Jan Arogya Abhiyan which describes itself to be a state-wide network of numerous health professionals and certain number of civil society organizations working on health and nutrition related issues in the State of Maharashtra for last 24 years.

2. Having heard the learned counsel for the applicant, learned *Amicus* and learned Addl. Government Pleader representing the State-respondents and also considering the cause the applicant intends to espouse by this Interim Application, we permit the applicant to address the Court and give suggestions for arriving at a proper conclusion so that necessary directions may be issued keeping in view the scope of the instant suo motu PIL petition.

3. The applicant may work in tandem with learned *Amicus* and accordingly make its suggestions.

4. The Interim Application stands disposed of.

IA/7920/2024:

5. This Interim Application has been moved by Maharashtra Asha Gat Pravartak and Arogya Karmachari Sanghthna, Sangli. The applicant-organization is a union of Asha workers having 2000 Asha workers as its members.

6. A perusal of the averments made in the application would reveal that the applicant has made certain averments regarding existence of vacant posts, the policy of the State Government of hiring the man power on contractual basis,

alleged avoidance on the part of the State Government to fill up regular posts etc. Another averment made in the Interim Application is that certain members of the applicant-organization are eligible for recruitment to the technical staff of Group-C posts, and that vacant posts are available in the hospitals, and that there is an order passed by this Court at Aurangabad directing the State Government to prepare a data base of such employees and to consider framing of policy for their regularization.

7. In the aforesaid background facts, the applicant seeks its intervention. The prayers made in the Interim Application are to the effect that direction to issue for expeditious regularization of qualified Asha workers and other National Health Mission workers and thereafter only the remaining posts be advertised for recruitment by usual mode.

8. Having regard to the averments made in the application and the prayers made therein, we are of the opinion that the applicant has nothing to do with the subject matter of the instant suo motu PIL petition which was suo motu taken cognizance by the Court. In fact, by seeking intervention, the applicant has sought certain prayers in the interest of its members, which according to us is not the scope of the instant PIL petition.

9. The Interim Application is, thus, rejected.

SMPIL/1/2023:

10. Learned *Amicus* has submitted a note dated 8th March, 2024, copy of which was tendered to learned Addl. Government Pleader.

11. We, thus, call upon the learned Addl. Govt. Pleader to file a response to the said note dated 8th March, 2024 furnished by the learned *Amicus* within four weeks.

12. Stand over to **9th October, 2024 at 2.30 p.m.**

(AMIT BORKAR, J.)

(CHIEF JUSTICE)

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