



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.5687 OF 2024

Rajendra Fakirji Chaudhari, Tq. Morshi, Dist. Amravati and ors.

-vs-

State of Maharashtra, Thr. Secretary, Dept. of Public Health Officer, and ors.

WITH

WRIT PETITION NO.5688 OF 2024

Gautam Dadarao Lonare, Jadmoha, Dist. Yavatmal

-vs-

State of Maharashtra, Thr. Secretary, Dept. of Public Health Officer, and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri P. A. Kulkarni, Advocate for petitioners.

Shri J. Y. Ghurde, Assistant Government Pleader with Shri H. D. Marathe, Assistant Government Pleader for respondent Nos.1 to 3 and 5 in WP/5687/24 and for 1 to 5 in WP/5688/24.

CORAM : BHARATI DANGRE AND ABHAY J. MANTRI, JJ.

DATE : September 27, 2024

P. C.

1. The two writ petitions before us, according the counsel for the petitioners are covered by the decision taken by the Division Bench at Aurangabad on 30/08/2024 in group of writ petitions, lead petition being Writ Petition No.1913/2024 (*Navnath Bhaskar Dive and anr. vs. The State of Maharashtra Thr. its Secretary and ors. with connected writ petitions*).

2. The learned Assistant Government Pleaders representing the State do not dispute that the case of the petitioners squarely fall within the directions issued by the Division Bench of Aurangabad declaring that the petitioners appointed under the Scheme as contractual employees, shall not be replaced by new contractual employees and if certain contractual employees who have earlier worked but are not engaged as on date, they may be given preference while replacement is

being given effect.

3. By declaring that the case of the petitioners is governed by the decision of the Division Bench in *Navnath Bhaskar Dive and anr.* (supra), and specifically the observations and contentions recorded in paragraph 21 of the decision, the petitions are made absolute in terms of prayer clause (II) and (IV) respectively.

(Abhay J. Mantri, J.)

(Bharati Dangre, J.)