



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.13668 OF 2025

Raju Ganesh Jondhale
Age: 44 years, Occu.: Unemployed,
R/o. H. No.11-02-80, Rahimpura,
Bhagyoday Nagar, Vasarani,
Nanded.

.. Petitioner

Versus

1. The State of Maharashtra
Through the Secretary,
Urban Development Department,
Mantralaya, Mumbai-32.
2. The Municipal Commissioner,
Nanded Waghala Municipal Corporation,
Taluka and District Nanded.

.. Respondents

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Mr. Ashutosh S. Kulkarni, Advocate for the petitioner.
Mr. S. B. Pulkundwar, Advocate for respondent No.1/State.
Mr. R. K. Ingole, Advocate for respondent No.2.

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**CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.**

DATE : 18 NOVEMBER 2025

ORDER :

. Present petition has been filed for setting aside order dated 06.05.2025 issued by respondent No.2 and for directions to respondent No.2 to appoint the petitioner on any suitable available post as per petitioner's qualification in view of various provisions of Government

Resolutions including Government Resolution dated 24.02.2023 framed as per Lad-Page Committee.

2. Heard learned Advocate Mr. Ashutosh S. Kulkarni for the petitioner, learned AGP Mr. S. B. Pulkundwar for respondent No.1/State and learned Advocate Mr. R. K. Ingole for respondent No.2.

3. The petitioner contends that his grandfather Kondiba Radhoji Jondhale referred as Kondiba Radhya was serving with respondent No.2 erstwhile Nagar Palika as *Shipai* since 15.05.1973. Even if his initial appointment was as *Shipai*, his appointment was in fact for the post of *Safai Kamgar*. The grandfather of the petitioner served with respondent No.2 till 24.04.1988. His grandfather expired on 24.07.1988 while on duty. The heirship certificate has been taken by the petitioner's father and real uncle from competent Court on 15.07.2009. The Standing Committee of respondent No.2 had passed a resolution thereby approving the appointment of the petitioner in place of his grandfather by resolution No.404 dated 18.02.2009. The said proposal for appointment of the petitioner was not considered and, therefore, the petitioner had approached the Industrial Court, Jalna, by filing Complaint (ULP) No.29 of 2011. It came to be dismissed on 10.09.2012 on the ground that there is no employer employee relationship. On the basis of Lad-Page Committee

report when he made the representation, the General Meeting Resolution No.24 dated 10.04.2018 had made recommendation for the appointment of the petitioner, however, that has also not been done. Since his grandfather was Safai Kamgar, the Lad-Page Committee report and the Government Resolutions thereon would be applicable and the present petitioner is entitled to be appointed, however, by a cryptic order, respondent No.2 rejected the application, still the representation was filed by the petitioner on 30.06.2025 with respondent No.2 and it is still pending.

4. Learned Advocate for respondent No.2 resists the petition on the ground that there is much delay as well as the fact that no document has been produced by the petitioner to support his contention that his grandfather was serving as *Safai Kamgar*.

5. The petitioner is relying on order dated 15.05.1973 issued by the President, Nanded Nagar Palika wherein it was stated that from 16.05.1973, the persons named in the order should work in Sanitary Department. This document cannot be taken as a clear document showing that the grandfather of the petitioner was appointed as *Safai Kamgar*. Even the Standing Committee Resolution copy produced by the petitioner dated 18.02.2009 Resolution No.404 states that the grandfather of the petitioner was serving as Peon. Thereafter, it appears that he had approached the

Industrial Court and his complaint came to be dismissed on 10.09.2012. No doubt, it appears that the Municipal Corporation General Committee had passed Resolution No.24 regarding recommendation, however, at that time, it has been stated that grandfather of the petitioner was serving as labour. The petitioner could have filed any such document which would have shown that his grandfather was serving as *Safai Kamgar*. The Government Resolution dated 24.02.2023 on which the petitioner is relying contains that the meeting in respect of the subject was held way back on 22.03.2016. Therefore, the reasons those have been quoted while rejecting the application of the petitioner are sufficient and we do not find that any illegality or error has been committed, which can be taken note of and interfered with under the constitutional powers of this Court under Article 226 of the Constitution of India.

6. Writ Petition stands dismissed.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm