

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11494 OF 2025

Suvarna Anil Shinde & Ors. ...Petitioners

Versus

Kalyan Dombivali Municipal Corporation
And Ors. ...Respondents

Mr. Chandrashekhar Patil a/w Mr. Sushant Ghadage, Mr. Kiran Thorat, Advocate for the Petitioners.

Mr. Sandeep Shinde, Advocate for Respondent Nos.1 to 3.

Mr. V.G. Badgujar, AGP for Respondent Nos.4 & 5/State.

Ms. Priyanka Chavan, Advocate for Respondent No.6/UOI.

CORAM : RAVINDRA V. GHUGE
&
ASHWIN D. BHOBE, JJ.

DATE : 10th SEPTEMBER, 2025

P.C. :-

1. After considering the submissions of the learned Advocates for the respective sides, we deem it appropriate to direct the Petitioners to add the Union of India as a Respondent. Addition be carried out forthwith. The learned Advocate, Ms. Chavan, causes an appearance on behalf of the added Respondent.

2. The Petitioners are before us seeking regularization. The Municipal Corporation already is guided by a Government Resolution dated 14th March, 2024, in relation to the National Health Scheme under which contractual employees are engaged. When they have worked for ten years or more, steps can be initiated for their absorption depending upon the availability of the funds, availability of permanent vacant posts and *inter se* seniority amongst the contractual employees as well as their continued service for ten years.

3. In view of the above, since this Court cannot deal with disputed questions as regards number of days work, number of years in continuous service having been put in by an employee, availability of permanent vacant posts, parity in wages etc., we deem it appropriate to direct the Corporation to scrutinize each case of the Petitioners, as well as, of all contractual employees similarly situated, notwithstanding that they have not approached this Court by filing Petitions. In short, all the contractual employees would be considered uniformly and depending upon their seniority, availability of permanent posts and the funds available under the schemes.

4. The Union of India and the State Government, would resort to an exercise for absorption of such employees (Contractual employees employed under the National Urban Health Mission) in a staggered manner depending upon the vacant posts. If the posts are exhausted, by applying the principle of seniority and many contractual employees will be awaiting absorption, their proposals be kept pending, awaiting further creation of posts or vacancies arising on account of superannuation, demise, disciplinary action or for any other reasons.

5. With the above directions, this **Writ Petition is disposed off.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)