



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

WRIT PETITION NO. 3026 OF 2025

SHRI. YADAV RUPCHAND MESHRAM

...Vs...

STATE OF MAHARASHTRA, THR. SECRETARY, TRIBAL DEVELOPMENT DEPT., MUMBAI AND ORS.

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Shri Sunil Kulkarni, Advocate h/f. Ms. Sunita S. Kulkarni, Advocate for petitioner.

Shri D.P.Thakare, Addl.G.P. for respondent nos. 1 to 3/State.

**CORAM: ANIL S. KILOR AND
RAJNISH R. VYAS, JJ.**

DATED : 11th NOVEMBER, 2025.

A limited issue is involved in this petition and the same is that, the petitioner's name was not included in the list of employees who worked for 10 years and recommended for regularization as per the **judgment of this Court at Aurangabad Bench** passed in **Writ Petition No. 8524/2022** with connected matters **dated 19/10/2022**.

2. It is the case of the petitioner that, in earlier round, this Court directed the petitioner to make a representation to the respondents, which he made and while deciding the same, the prayer of the petitioner was rejected on the ground that, he did not complete the period of 10 years.

3. It is observed that he worked for 9 years upto 30/4/2020 from 25/7/2011. The respondent no. 2 while holding that the petitioner worked for 9 years from 25/7/2011 to 30/4/2020, he failed to consider the period

of Covid-19 pandemic, which according to the judgment of this Court to take into consideration by the respondent no. 2.

4. While answering to the query (c) of the Government, this Court has observed that since the Government itself granted several concessions to the employees, those who could not do work and discharge their duties due to Covid-19 pandemic lockdown, would be considered to be in continuous employment during the Covid-19 pandemic lockdown period, provided that, they were in the employment immediately prior to the lockdown and were also in employment immediately after withdrawal of lockdown restriction, inclusive of the vacation period.

5. Admittedly, the petitioner was in employment on 30/4/2020 just before the pandemic. Therefore, in compliance with the judgment of this Court referred hereinabove, the respondent no. 2 ought to have considered the pandemic period while calculating the period of petitioner in employment. Since the respondent no. 2 failed to do so, we remand the matter back to the respondent no. 2 to re-consider the representation of the petitioner and take a decision afresh on the point, whether the pandemic period can be considered and taken into consideration ?

6. As far as the finding recorded by the respondent no. 2 that from 25/7/2011 to 30/4/2020, the petitioner worked for 9 years, we maintain the said finding and

remand the matter back only to the extent to consider whether the petitioner's case can be considered for the pandemic period.

7. Such exercise shall be completed by respondent no. 2 within a period of six weeks from today.

8. The petitioner undertakes to supply a copy of this order to the respondent no. 2 along with a copy of the petition and necessary documents within a period of two weeks from today.

9. Accordingly, the petition stands **disposed of**.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)

B.T.K.