

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5395 OF 2022

Manisha Santosh Gaikwad & Ors. ...Petitioners
Versus
Kalyan Dombivali Municipal Corporation
Thr. it's Municipal Commissioner & Ors. ...Respondents

...

WITH

INTERIM APPLICATION NO.9909 OF 2022

IN

WRIT PETITION NO. 5395 OF 2022

Manisha Santosh Gaikwad & Ors. ...Applicants
Versus
Kalyan Dombivali Municipal Corporation
Thr. it's Municipal Commissioner & Ors. ...Respondents

...

WITH

WRIT PETITION NO. 8812 OF 2022

Sagar Ramchandra Pawar & Ors. ...Petitioners
Versus
Kalyan Dombivali Municipal Corporation
Thr. Municipal Commissioner & Ors. ...Respondents

...

WITH

INTERIM APPLICATION NO.9883 OF 2022

IN

WRIT PETITION NO. 8812 OF 2022

Sagar Ramchandra Pawar & Ors. ...Petitioners
Versus
Kalyan Dombivali Municipal Corporation
Thr. Municipal Commissioner & Ors. ...Respondents

...

WITH

WRIT PETITION NO. 9428 OF 2022

Ganesh Bhagwan Palve & Ors. ...Petitioners
Versus
Kalyan Dombivali Municipal Corporation
Through it's Municipal Commissioner & Ors. ...Respondents

...
WITH
INTERIM APPLICATION NO.3634 OF 2022
IN
WRIT PETITION NO. 9428 OF 2022

Ganesh Bhagwan Palve & Ors. ...Petitioners
Versus
Kalyan Dombivali Municipal Corporation
Through it's Municipal Commissioner & Ors. ...Respondents

...
WITH
WRIT PETITION NO. 2052 OF 2023

Pradip D. Pagar & Ors. ...Petitioners
Versus
Kalyan Dombivali Municipal Corporation
Thru. Municipal Commissioner & Ors. ...Respondents

...
WITH
WRIT PETITION NO. 1669 OF 2023

Dr. Shital Chandrakant Patil & Ors. ...Petitioners
Versus
Kalyan Dombivali Municipal Corporation & Ors. ...Respondents

...
WITH
WRIT PETITION (ST.) NO. 29503 OF 2022

Vishakha Vitthal Jadhav & Ors. ...Petitioners
Versus
Kalyan Dombivali Municipal Corporation
Thr. it's Municipal Commissioner & Ors. ...Respondents

...

Mr. Kishor Patil a/w Mr. Jagdish Aradwad Reddy for the Petitioners/Applicants in WP 5395 of 2022 and 8812 of 2022 and IA.

Mr. Dushyant Pagare for the Petitioner in WP 9428 of 2022.

Ms. Ronita B.Bector i/b Mr. V.G. Sreeram for the Petitioner in WP Stamp 29503 of 2022.

Ms. Nazia Shaikh i/b Ms.Aditi Naikare for Petitioner in WP 1669 of 2023.

Mr. A.S. Rao for Respondent Nos.1 to 4.

Mr. B.V. Samant, AGP for Respondents-State.

...

**CORAM: S.V. GANGAPURWALA, ACJ &
SANDEEP V. MARNE, J.**

DATE : 11 APRIL 2023.

P.C.:

1 The Petitioners are working on contract basis since the year 2021.

2 The services of the Petitioners are terminated. They are to be replaced by outsourcing. The vacant posts are available, ofcourse the Petitioners cannot claim regulrisation. The Respondent-Corporation is entitled to proceed ahead for filling in the posts by regular selection.

3 No purpose would be served by replacing the Petitioners by the candidates through outsourcing.

4 The tender is issued for filling of the posts of 99 staff nurses through outsourcing and the nurses appointed on contractual basis and sought to be terminated are 72. There are other posts also.

5 The learned Advocate for the Respondent-Corporation seeks time to take instructions whether these persons can be continued till regularly selected candidates are appointed.

6 Stand over to 24 April 2023.

7 Interim orders passed earlier to continue till then.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)