

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION NO.855 OF 2025**

Maharashtra Rajya Mahiti Aayog  
Karmachari Sanghatana and Anr. ....Petitioners

***Versus***

State of Maharashtra and Ors. ....Respondents

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Ms. Gayatri Singh, Senior Advocate a/w. Advocate Hamza  
Lakdawala for the Petitioner.

Mr. Abhay L. Patki, Addl. GP a/w. Ms. Usha Rahi, AGP for  
Respondent No.1.

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

**DATE : 2<sup>nd</sup> APRIL, 2025**

**P.C. :-**

1. The Petitioner is a registered Union representing the cause of those workers, who are mentioned in the list Exhibit 'C'. The grievance is that many of them have been put in more than ten years and some of them, as less as two years. They are all temporaries who are likely to be replaced by fresh temporary hands, in the light of the E-Tender document dated 5<sup>th</sup> December, 2024 and the office order dated 6<sup>th</sup> September, 2024 issued by the Maharashtra State Information Commission.

2. Considering the law laid down in *Madhukar s/o. Bhavanrao Sadgir & Ors. v/s. State of Maharashtra & Ors.*<sup>1</sup> and *Secretary, State of Karnataka and Others v/s. Umadevi and Others*<sup>2</sup>, contractual employees who have worked for more than ten years, need to be protected. So also, notwithstanding whether any contractual workmen or temporary workmen is working for periods ranging from two years to seven years, if such temporary workers are to be replaced by fresh temporary hands, the law goes that temporaries should not be replaced with temporaries.

3. **Issue notice to the Respondents**, returnable on 11<sup>th</sup> June, 2025. The learned Addl. GP waives service of notice on behalf of Respondent No.1.

4. Let the affidavit in reply be filed on or before 7<sup>th</sup> May, 2025.

5. Until further orders, all those employees who have worked for ten years or more shall not be dispensed with from their

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1 2019 (2) Mh. L.J. 119

2 2006 Mh. L.J. Online (S.C.) 36

engagement. So also, those temporary workers, who have worked for less than ten years, as set out in the list Exhibit 'C', shall not be replaced by fresh temporary hands, until the returnable date in this matter.

**(ASHWIN D. BHOBE, J.)**

**(RAVINDRA V. GHUGE, J.)**