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907-wp-10975-17

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

907 WRIT PETITION NO. 10975 OF 2017

SUNITA NARAYAN CHAUDHARI AND OTHERS  
VERSUS  
STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for the Petitioners : Mr. P. V. Barde  
AGP for Respondent No.1/State : Smt. Rashmi P. Gour  
Advocate for Respondent No.2 : Mr. B. B. Shelke  
h/f. Mr. Bedre V. S.

...

CORAM : KISHORE C. SANT AND  
SUSHIL M. GHODESWAR, J.J.

DATE : 25.03.2026

***PER COURT :***

1. A simple grievance of the petitioners is that they had approached the Industrial Court. The learned Industrial Court had allowed the complaints and directed the respondents to cease and desist from engaging in unfair labour practices. Petitioners were granted permanency w.e.f. April, 2012 along with necessary benefits attached to the post of Nurse within period of one month from the date of the said order dated 17.07.2013.

2. The respondent Municipal Corporation had approached this

Court by filing Writ Petition Nos.17/2014 to 25/2014, Writ Petition Nos. 3563/2014, 3564/2014, 3565/2014, 3384/2014, 3339/2014 and 3690/2014. This Court confirmed the order passed by the Industrial Court. The Corporation was directed to prepare individual proposals of the employees and submit to the Government for approval. The respondent Government was directed to accord its approval for regularizing the services of the employees within a period of 4 (four) months. However, in spite of this, no salary is paid and no permanency is granted to the petitioners.

3. During the course of submissions, it is pointed out that by communication dated 21.07.2023 the Deputy Commissioner of the respondent Corporation has granted permanency from the date of the said order. It appears that this was done only after obtaining undertaking from the petitioners in writing that they would not claim back wages or other benefits and arrears etc. This Court fails to appreciate as to when this Court has specifically passed the judgment and award, how the regularization is granted from 05.03.2018. This Court finds that it ought to have been from 2012 as directed by this Court in the year 2015. This Court finds that the Government has to regularize his services from 2012.

4. The learned AGP on this point seeks some time to take instructions.

5. The respondent/State to positively come with the proposal to show the compliance of the order passed by this Court in Writ Petition Nos.17/2014 with other connected writ petitions.

6. Stand over to 15.04.2026.

( SUSHIL M. GHODESWAR )  
JUDGE

( KISHORE C. SANT )  
JUDGE

shp/-