



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

**WRIT PETITION NO. 5290 OF 2016
WITH
WRIT PETITION NO. 4700 OF 2016
WITH
WRIT PETITION NO. 679 OF 2021**

WRIT PETITION NO. 5290 OF 2016

- 1) Mahesh S/o Dhnyaneshwar Dambhare
Aged : 38 years, Occ : Service,
R/o At Post Vijaygopal, Ta. Dewali
Dist. Wardha – 444236.
- 2) Siddharth S/o Pramod Badge,
Aged : 35 years, Occ: Service Computer
Operator, R/o Chandramani Nagar
Near NIT Garden, Nagpur – 440075.
- 3) Sirish S/o Pundlikao Kupte,
Aged : Major, Occ : Service,
R/o Plot No.53 Papular Society
Manish Nagar, Nagpur-440075.
- 4) Ashish S/o Bhaiyyasaheb Karale,
Aged : 30 years, Occ : Service,
R/o 131(B) Pande layout, Khamla Nagpur.
- 5) Vijay S/o Mulchand Nandagawali,
Aged : 32years, Occ : Service,
R/o At post Palasgaon, post Chikhali,
Ta. Sadak Arjuni, Dist: Gondia-441806
- 6) Umesh S/o Ramkrushna Dhankute,
Aged : 33 years, Occ : Service,
R/o At post Rehaki, Ta. Selu, Dist- Wardha.
- 7) Jitendra S/o Shriram Girare,
Aged : 28 Occ : Service,
R/o Plot No. 62, Bandu soni Layout
Gayatri Mandir Road, Nagpur-440022.



- 8) Pankaj Pundlikrao Shemdame,
Aged : 29 years, Occ: Service, R/o Plot No. 8,
Raut Layout Mansarovar Colony,
Sadikbad Mankapur, Nagpur-440030.
- 9) Shyam S/o Murlidhar Kenekar,
Aged : 28 years, Occ: Service,
R/o At post Bhadola,
Ta. & Dist-Bhuldhana-4433001.
- 10) Shyam S/o Sudhakar Bhale,
Aged : 29 years, Occ: Service,
R/o Post Pimpagao Raja,
Ta. Khamgaon, Dist: Buldhana-444306.
- 11) Nilesh S/o Santoshrao Katkar,
Aged : 29 years, Occ: Service, R/o Plot 23
Ward No.1 jai Dhole Nagar, Chankapur,
Khaparkheda, Ta. Saoner, Dist: Nagpur.
- 12) Ku. Vibha Pandit Ade,
Aged : 28 Years, Occ: Service,
R/o E-/502 NIT Complex Gurudeo Nagar,
Nagpur-440009.
- 13) Ku. Bhumika Vishwanath Awadhut,
Aged : 30 years, Occ: Service,
R/o Chunabhatti, Near Ajani, Nagpur.
- 14) Nilesh Diliprao Thakre,
Aged about 29 years, Occ: Service,
R/o Plot No. 22, Chandak layout behind
Jaiswal Mangalkaryala IPDU Road Katol.
- 15) Manish Ashokrao Madake,
Aged : 28 years, Occ: Service,
R/o Plot No.26 Near Dhawad layout
Vasahat Ta. Katol, Dist-Nagpur.
- 16) Kailash S/o Dashrath Sarode,
Aged : 34 years, Occ: Service,
R/o Godhani Railway Near
Hanuman Mandir, Nagpur,



- 17) Sapana Bavurao Nitnaware,
Aged : 28 years, Occ: Service,
R/o At Dighi jahanpur Post Waki Raypur
Ta. Daryapur, Dist: Amrawati-444804.
- 18) Ku. Kirti Ramchandra Wankhede,
Aged : 34 years, Occ: Service, R/o 353,
Mahalakshmi Nagar, New Narsala Road,
Nagpur.
- 19) Shri. Girish Pandharinath Karmarkar,
Aged : 35 years, Occ: Service,
R/o Plot No.40 Near Ganesh Mandir,
New Diamond Nagar Nagpur.
- 20) Ku. Priti Purushottam Moon,
Aged about 33 years, Occ: Service,
R/o 145 Nalanda Nagar,
Post Bhagwan Nagar, Nagpur.
- 21) Nagesh Digambar Diwan,
Aged : 31 years, Occ: Service,
R/o C/o P D Wardhane 405 Jagat Tower
Tilak Nagar Amravati Road, Nagpur-440010.
- 22) Mangesh Govind Shingade,
Aged : 39 years, Occ: Service, R/o 556,
Vinobha Bhave Nagar, Nagpur-440017.
- 23) Sandesh Manohar Bagde,
Aged : 42 years, Occ: Service, R/o 66, Shri
Nagar Near NIT Garden Nagpur-440015.
- 24) Vivek Purushottam Gourkar,
Aged : 30 years, Occ: Service,
R/o Timki Tin Khamba, Near kolbaswami
vachanalay, Nagpur-440018.
- 25) Rajkumar Uttamrao Jagdande,
Aged : 30 years, post Harshi,
Ta. Pusad, Dist-Yavatamal 445215.
- 26) Ashok Gangaram Girgaonkar,
Aged : 35 years, R/o B-13 Jayganga Nivas,
Tulshiram Nagar, Malegaon Road,
Taroda Khard, Nanded-431605.



- 27) Pankaj Asholrao Navghare,
Aged : 30 years, R/o Near arvind vidhalay,
Sidharth ward, changeoliye layout,
Warora, Chandrapur.
- 28) Vijay Rambhauji Yelane,
Aged : 29 years, R/o Near devidas Kamadi
house, Nannashah ward, Hinganghat,
Dist: Wardha-442901.
- 29) Dhiraj Arvind Deshmukh,
Aged : 28 years, R/o 224, Jadipura, Nerpinglai,
Ta. Morshi, Distt: Amravati-444707.
- 30) Shri. Yavendra Ramesh Ukey,
Age: 27 Years, Occ: Junior Engineer,
R/o Murumtola/Halbitol, Near javed Petrol
Pump, Taluka-Salekhasha Distt: Gondia-441916.
- 31) Shri Gyaneshwar Ravichand Hattimare,
Age: 35 Years, Occ: Junior Engineer,
R/o Near Post Office Khatiya,
Distt: Gondia-441601.
- 32) Ku. Raksha Tarachand Chawre,
Age : 43 Years, Occ: Junior Engineer,
R/o Near Petrol Pump, Taluka-Salekhasha
Distt: Gondia-441912.
- 33) Shri. Sakru Devsing Sable
Age : 23 Years, Occ: Junior Engineer,
R/o Madhuranagar. PO. Jewali, Umarkhed
Distt: Yavatmal-445207.
- 34) Ku. Priyanka Madhukar Kamdi,
Age: 28 Years, Occ: Senior Clerk
R/o Kabir Ward, Kazi nagar, Bhandar
Distt: Bhandara-441912.
- 35) Ku. Shradha Ashok Dubey,
Age: 37 Years, Occ: Junior Engineer,
R/o Madke Nagar, Tumsar,
Distt: Bhandara-441912.



- 36) Shri. Sudhakar Devchand Gaidhane,
Age: 38 Years, Occ: Junior accountant,
R/o Nehru ward, Warthi,
Distt: Bhandara-441912.
- 37) Shri. Ramsing Bhuvanlal Rudhe,
Age :32 Years, Occ: Peon,
R/o Shivaji Nagar road,
Distt: Bhandara-441912.

.... PETITIONERS

// **VERSUS** //

- 1) State of Maharashtra,
through its Secretary, Ministry of Rural
Development, Mantralaya, Mumbai-32.
- 2) Maharashtra Rural Roads Development
Association, through its Chairman and
Chief Secretary of State of Maharashtra,
Rural Development and Water Conservation
Department, Mantralaya, Mumbai-32.
- 3) Superintending Engineer,
Pradhan Mantri Gram Sadak Yojna and
Maharashtra Rural Roads Development
Association, Bandham Sankul,
Civil Lines, Nagpur.
- 4) Executive Engineer,
Pradhan Mantri Gram Sadak Yojna and
Maharashtra Rural Roads Development
Association, Civil Lines, Nagpur.
- 5) Executive Engineer,
Pradhan Mantri Gram Sadak Yojna and
Maharashtra Rural Roads Development
Association, Chandrapur.
- 6) Zilla Parishad, through its Chief Executive
Officer, office of Zilla Parishad, Nagpur.
- 7) Union of India through its secretary,
Ministry of rural development,
Government of India, Krishi Bhavan,
New Delhi.



- 8) National Rural Road Development Agency, Krishi Bhavan, New Delhi. RESPONDENTS

Mr. S. S. Sanyal, Advocate for the Petitioners.
Mr. N. R. Patil, Assistant Government Pleader for Respondents/State.

WITH

WRIT PETITION NO. 4700 OF 2016

- 1) Vinod Mahadeorao Khandare,
Aged about 40 years, Occ-Service
R/O VHB Colony, Malkapur
Tq. and Dist. Akola.
- 2) Prashant Vishwanath Dhawale
Aged about 38 years, Occ-Service
R/O Gayatri Nagar, Kaulkhed Akola
Tq. and Dist. Akola.
- 3) Vijay Dhondupant Thakare
Aged about 43 years, Occ-Service
R/O Trimurti Apartment Jatharpeth,
Akola, Tq. and Dist. Akola.
- 4) Amitkumar Vijayrao Tirpude
Aged about 26 years, Occ-Service
R/O Q.No-43/252 Tarfail colony
Akola, Tq. and Dist. Akola.
- 5) Shankar Manikrao Ingle
Aged about 31 years, Occ-Service
R/O Pramod Nagar, Kaulkhed Near BSNL
Office, Akola, Tq. and Dist. Akola
- 6) Sandip Maroti Shivrame
Aged about 36 years, Occ-Service
R/O 93, Amrut Nagar, Jalamb Road
Khamgaon, Tq. Khamgaon, Dist. Buldhana.



- 7) Vilas Ramkrishna Gole
Aged about 36 years, Occ-Service
R/O Takli Khurd Post Chohatta
Bazar, Tq. Akot, Dist. Akola.
- 8) Ganesh Janardhan Bhavane
Aged about 39 years, Occ-Service
R/O Z.P. Nagar, C-38 Khadki, Post-Gandhi
Nagar, Tq. and Dist. Akola.
- 9) Avinash Gajanan Chavan
Aged about 26 years, Occ-Service
R/O Kawatha, Post- Bahadura
Tq. and Dist. Akola.
- 10) Sagar Onkar Dange
Aged about 33 years, Occ-Service
R/O Near Ice Factory Kela Plots,
Jatharpeth, Tq. and Dist. Akola.
- 11) Jayprakash Murlidhar Bhirade
Aged about 26 years, Occ-Service
R/O Netaji Square, Post Mundgaon
Tq. Akot, Dist. Akola.
- 12) Sachin Bandurao Chaudhary,
Aged about 27 years, Occ-Service,
R/O Usha Colony, Akoli Road,
Sai Nagar, Tq. and Dist. Amravati.
- 13) Vijay Bhimrao Dhawade,
Aged about 47 years, Occ-Service,
R/O Mothi Umari, Akola
Tq. and Dist. Akola.
- 14) Satyam Uttamrao Mokale
R/O I.U.D.P. Colony, Pusad road,
Washim, Tq. Dist. Washim.
- 15) Jitendra Vithal Kamble,
R/O Santaji Nagar, Near Shankar Nagar,
Amaravati, Dist. Amaravati.
- 16) Anil Madhukar Fulke
R/O Santoshi Mata colony, Karanja (Lad),
Tq. Karanja, Dist. Washim.



- 17) Viju Champatrao Nagrale,
R/O Ujjwal Nagar, Near Gadge Baba
Mandir, Yavatmal, Tq. & Dist. Yavatmal.
- 18) Prakash Sakharam Thakare,
R/O I.U.D.P. Colony, Near Mahakali
Mandir, Washim. Tq. Dist. Washim.
- 19) Niraj Dashrath Ukande,
R/O Balaji Nagari-1, Bye pass, Karanja (Lad),
Tq. Karanja, Dist. Washim.
- 20) Amol Ambadas Thakare,
R/O C/o, Ambadas Thakare, Shradha
Gruhnirman society, In front of Bal Udyan,
Nandura Road, Jalgaon Jamod,
Tq. Jalgaon Jamod, Dist. Buldhana.
- 21) Onkar Ramdas Zungre,
R/O Mauli Nagar, Zakalwadi road,
Gore layout, Lakhala, Washim,
Tq. & Dist. Washim.
- 22) Rajesh Lalsing Rathod,
R/O MIDC Road Yawatmal at Warud
(Aswinpur) Post Moha Tq. Pusad
Dist. Yavatmal.
- 23) Pradeep Narayanrao Kogade,
R/O At. Post. Rahit (Sahit),
Tq. Barshitakali, Dist. Akola.
- 24) Chetan Umesh Wankhade,
R/O At. Kawada (Jhangir) Post Patur
Nandapur, Tq Murtizapur Dist. Akola.
- 25) Nishikant Narayanrao Tawalare,
R/O At Akolkheda post Akot
Tq. Akot, Dist. Akola.
- 26) Ku. Nilam Vishnupantha Bhise,
R/O Congress Nagar Chikhali road
Sunder kheda, Tq. Dist. Buldhana.



- 27) Nitin Sudhakarrao Fursule,
R/O Balaji Nagar part-2 Near,
Vandevi Mandir Bye pass, Karanja (Lad),
Tq. Karanja, Dist. Washim.
- 28) Sachin Rameshrao Deshmukh,
R/O At. Post. Pailpada, Tq. & Dist. Akola.
- 29) Santosh Vishwnathrao Sawarkar,
R/O Renuka Nagar Galli No. 2, Dabaki road
Old city, Akola, Tq. Dist. Akola.
- 30) Santosh Jankiram Chavan,
R/O C/o Shaligram Rathod,
At Post-Gawamdgaon, Tq-Patur,
Dist.-Akola.
- 31) Gajanan Kisanrao Khade,
R/O New Sonkhas Bypass Road,
Mangrulpir, Tq-Mangrulpir,
Dist.-Washim.
- 32) Sunil Rameshwar Paithane,
R/O At Mahavir Nagar, Ward No.23,
Buldhana, Tq. and Dist.-Buldhana.
- 33) Sagar Shashikant Kamble,
R/O At Post- Junnar, Near Panchayat
Samity, Tq-Junnar, Dist.-Pune.
- 34) Sheshrao Mahadevrao Kharat,
Satyam Apartment, Sundarkhed
Khamgaon Road, Buldana.
- 35) Deepak Barsu Badhe,
At. Post Borakhedi,
Tq Motala, Dist. Buldana.
- 36) Mahesh Dagdu Marathe,
Shivaji Nagar, Malkapur,
Dist. Buldana.
- 37) Ku. Deepali Ramesh Chandore,
Ward No.3, Rautwadi,
Near Busstop Chikhali.



38) Pramod Rambhau Raut,
Durga Nagar Ward No-7, Nandura,
Dist. Buldana.

Deleted as per
Court's order
dt. 3/10/2024

39) ~~Jaysing Narayansing Kurkunj,~~
~~Agresan Marg, Deulgaon Raja~~
~~Dist. Buldana.~~

40) Shri Mahesh Prakash Jaiswal,
Keshav Nagar, Ghatpuri Naka, Khamgaon.

41) Dhananjay Dattatray Dange,
Samarth Nagar, old Ajishpur Road Buldana.

Deleted as per
Court's order
dt. 3/10/2024

42) ~~Samadhan Ramkrushna Warade,~~
~~At Posi Mera Khrud, Tq Chikhali,~~
~~Dist Buldana.~~

43) Sachin Sanjay Gite,
At Godhankhed, Post Aland,
Tq. D.Raja, Dist. Buldana.

44) Kailash Shivaji Jaybhaye,
At Palaskhed Jha. Post Hirdav,
Tq. Lonar, Dist. Buldana.

45) Mangesh Gajanan Gajghane,
At Shirasgaon, Post Garadgaon,
Tq Khamgaon.

46) Mahendra Shrirang Jogdand
N.D.41 B, 23/3 Near Sant Gadgebaba
Mandir, Shambhaji Chauk, Cidco,
New Nanded.

47) Ku. Sujata Mahadev Gawande,
Shramsafalya Deshmukh Plot,
Behind School No. 6, Khamgaon
Dist. Buldana.

Deleted as per
Court's order
dt.3/10/2024.

48) ~~Manoj Devidas Tekale,~~
~~Rajureshwar Nagar Sagwan Area,~~
~~Buldana, Dist. Buldana.~~



49) Ku. Priti Bhujangrao Nande,
Sai Nagar Buldana.

.... **PETITIONERS**

// **VERSUS** //

- 1) State of Maharashtra,
through its Secretary, Ministry of Rural
Development, Mantralaya, Mumbai-32.
- 2) Maharashtra Rural Roads Development
Association, through its Chairman and
Chief Secretary of State of Maharashtra,
Rural Development and Water Conservation
Department, Mantralaya, Mumbai-32.
- 3) Superintending Engineer,
Pradhan Mantri Gram Sadak Yojna and
Maharashtra Rural Roads Development
Association, Bandham Sankul,
Civil Lines, Nagpur.
- 4(a) Executive Engineer, Pradhan Mantri
Gram Sadak Yojna and Maharashtra
Rural Roads Development Association,
District – Akola.
- 4(b) Executive Engineer, Pradhan Mantri
Gram Sadak Yojna and Maharashtra
Rural Roads Development Association,
District – Washim.
- 4(c) Executive Engineer, Pradhan Mantri
Gram Sadak Yojna and Maharashtra
Rural Roads Development Association,
District – Buldana.
- 5(a) Zilla Parishad, through its Chief
Executive Officer, District – Akola
- 5(b) Zilla Parishad, through its Chief
Executive Officer, District – Washim.
- 5(c) Zilla Parishad, through its Chief
Executive Officer, District – Buldana.



- 6) Union of India, through its Secretary,
Ministry of Rural Development,
Government of India, Krishi Bhavan,
New Delhi.
- 7) National Rural Road Development
Agency, Krishi Bhavan, New Delhi.

.... **RESPONDENTS**

Mr. J. B. Gandhi, C. M. Jha, Draksha Khan, Hamain Khan,
Advocates for the Petitioners.

Mr. N. R. Patil, Assistant Government Pleader for the
Respondents/State.

Mr. Atharva Doye, Advocate h/f Mr. P. D. Meghe Advocate
for the Respondent No.5(a)

WITH

WRIT PETITION NO. 679 OF 2021

- 1) Shri Harshal s/o Subhashappa Mungse,
Aged about 27 years, Occu.: Service,
R/o Arogya Seva Colony, Rahatgaon,
Amravati, District Amravati-444602.
- 2) Shri Pundlik s/o Ramdas Mendake,
Aged about 26 years, Occu.: Service,
R/o Tembhurdara, Post Akoli,
Tahsil Umardhed, District Yavatmal-445207.
- 3) Shri Rajesh s/o Narayan Bommawar
Aged about 31 years, Occu.: Service,
R/o Mahagaon Road, Wangepalli,
Tahsil Aheri, District Gadchiroli-442705.
- 4) Sangita Bhojraj Lanje,
Aged about 31 years, Occu.: Service,
R/o Ganesh Ward, Sakoli, District Bhandara.
- 5) Jyoti Devidas Meghare,
Aged about 28 years, Occu.: Service,
R/o Sarvodaya Ward No.3, Near Patwari
Bhawan, Armori Road, Gadchiroli,
District Gadchiroli-442605.



- 6) Durga Tulsidas Tondhare,
Aged about 27 years, Occu.: Service,
R/o Post Jugnalata, Bramhapuri,
District Chandrapur-441206.
- 7) Geetanjali Anant Nagrare,
Aged about 44 years, Occu.: Service,
R/o Siddhant Apartment, Flat No.101,
Rajshri Nagar, Beltarodi Road,
Nagpur-440027.
- 8) Rajesh Kewalram Shende,
Aged about 36 years, Occu: Service,
R/o Near Gondwana Vidyapeeth,
Durga Nagar, Navegaon,
Gadchiroli-442605.

.... PETITIONERS

// **VERSUS** //

- 1) The State of Maharashtra,
Through its Secretary, Ministry of Rural
Development, Mantralaya, Mumbai-32.
- 2) The Pradhan Mantri Gram Sadak Yojana
and Maharashtra Rural Roads Development
Association, through its Superintending
Engineer, Bandhkam Sankul,
Civil Lines, Nagpur.
- 3) The Executive Engineer,
The Pradhan Mantri Gram Sadak Yojana
and Maharashtra Rural Roads Development
Association, Wardha, District Wardha.
- 4) The Executive Engineer,
The Pradhan Mantri Gram Sadak Yojana
and Maharashtra Rural Roads Development
Association, Gadchiroli, District Gadchiroli.
- 5) The Zilla Parishad, Wardha,
Through its Chief Executive Officer,
Wardha, District Wardha.
- 6) The Zilla Parishad, Gadchiroli,
Through its Chief Executive Officer,
Gadchiroli, District Gadchiroli.



1. Heard. Since Rule has already been issued in Writ Petition No. 5290 of 2016 and Writ Petition No. 4700 of 2016, **Rule** in Writ Petition No. 679 of 2021 made returnable forthwith. Heard finally with the consent of the learned Counsel for the parties.

2. In view of the similarity of issues involved in the aforesaid petitions, they are being decided by this common judgment, treating Writ Petition No. 5290 of 2016 as the lead petition.

3. All the petitioners in the aforementioned petitions are employees appointed on contractual basis. On 25/12/2000 the Central Government had launched the 'Pradhan Mantri Gram Sadak Yojana' (for short "PMGSY") to construct the rural roads by utilizing the funds of the Central Government. The said scheme was to be implemented in the State by the local authority having presence throughout the State i.e. Zilla Parishad, Public Works Department, etc. The State Government is responsible for payment of salaries to the staff appointed for the implementation of the said scheme. The State Government created various posts for implementation of PMGSY and has



extended the terms of the said posts from time to time by issuing various Government Resolutions. The services of the petitioners were continued on contractual basis for years by giving artificial breaks in service. The details of the petitioners i.e. date of advertisement, date of appointments, posts etc. are as under:

SERVICE DETAILS OF PETITIONERS IN WRIT PETITION NO.5290/2016

Petn. No.	Name	Date of Advertisement	Date of Appointment	Post
1.	Mahesh Dhyaneshwarrao Dambhare	14/09/2012	08/01/2013	Junior Engineer
2.	Siddharth Pramod Bagde	-	09/10/2006	Computer Operator
3.	Shirish Pundalikrao Kupte	05/01/2007	29/08/2007	Junior Engineer
4.	Ashish Bhaiyasaheb Karale	24/11/2010	18/07/2012	Junior Engineer
5.	Vijay Mulchand Nandagawali	Resigned		
6.	Umesh Ramkrushna Dhankute	02/10/2013	02/12/2013	Junior Engineer
7.	Jitendra Shriram Girare	02/10/2013,	09/12/2013	Junior Engineer
8.	Pankaj Pundalikrao Shemdame	08/02/2014	03/06/2014	Junior Engineer
9.	Shyam Murlidhar Kenekar	08/02/2014	04/06/2014	Civil Engineer Assistant
10.	Shyam Sudhakar Bhale	24/11/2010	15/07/2011	Civil Engineer Assistant
11.	Nilesh Santoshrao Katkar	Resigned		
12.	Vibha Pandit Ade	14/09/2012	07/01/2013	Civil



				Engineer Assistant
13.	Bhumika Vishwanath Awdhut	24/11/2010,	01/08/2011	Civil Engineer Assistant
14.	Nilesh Diliprao Thakre	24/11/2010	14/07/2011	Civil Engineer Assistant
15.	Manish Ashokrao Madke	24/11/2010	04/08/2011	Civil Engineer Assistant
16.	Kailash Dashrath Sarode	14/09/2012	14/01/2013	Civil Engineer Assistant
17.	Sapna Bavurao Nitnaware	Resigned		
18.	Kirti Ramchandra Wankhede	24/11/2010	18/07/2011	Civil Engineer Assistant
19.	Girish Pandharinath Karmarkar	14/09/2012	03/01/2013	Senior Clerk
20.	Priti Purushottam Moon	08/02/2014	02/06/2014	Senior Clerk
21.	Nagesh Digambar Diwan	Resigned		
22.	Mangesh Govind Shingade	02/02/2011	25/08/2011	Junior Account Officer Gr- C
23.	Sandesh Manohar Bagde	18/02/2014	02/06/2014	Steno Typist
24.	Vivek Purushottam Gourkar	Resigned		
25.	Rajkumar Uttamrao Jogdande	25/11/2010	06/07/2011	Civil Engineer Assistant
26.	Ashok Gangaram Girgaonkar	25/11/2010	05/07/2011	Civil Engineer Assistant
27.	Pankaj Ashok Navghare	25/11/2010	05/07/2011	Civil Engineer



				Assistant
28.	Vijay Rambhauji Yelane	17/05/2013	04/09/2013	Civil Engineer Assistant
29.	Dhiraj Arvind Deshmukh	17/05/2013	15/05/2014	Civil Engineer Assistant
30.	Yadvendra Ramesh Ukey	24/02/2014	11/12/2014	Junior Engineer
31.	Gyaneshwar Ravichand Hattimare	15/12/2010	11/05/2013	Junior Engineer
32.	Raksha Tarachand Chawre	15/12/2010	09/08/2012	Junior Engineer
33.	Sakru Devsing Sable	24/02/2014	03/12/2014	Civil Engineer Assistant
34.	Priyanka Madhukar Kamdi	15/12/2010	02/08/2012	Senior Clerk
35.	Shraddha Ashok Dube	24/02/2014	11/12/2014	Junior Engineer
36.	Sudhakar Devchand Gaidhane	02/02/2011	26/07/2011	Junior Account Officer Gr- C
37.	Ramsingh Bhuvanlal Ruddhe	15/12/2010	13/06/2011	Peon

SERVICE DETAILS OF PETITIONERS IN WRIT PETITION NO.4700/2016

Petrn. No.	Name	Date of Advertisement	Date of Appointment	Post
1.	Vinod Mahadeorao Khandare	12/07/2007	18/12/2006	Junior Engineer
2.	Prashant Vishwanath Dhawale	12/07/2007	18/12/2006	Junior Engineer
3.	Vijay Dhondupant Thakare	12/07/2007	18/12/2006	Junior Engineer
4.	Amitkumar Vijayrao	12/09/2011	18/12/2006	Junior



	Tirpude			Engineer
5.	Shankar Manikrao Ingle	12/09/2011	18/12/2006	ACE
6.	Sandip Maroti Shivrame	12/09/2011	18/12/2006	ACE
7.	Vilas Ramkrishna Gole	17/09/2011	18/12/2006	ACE
8.	Ganesh Janardhan Bhavane	05/07/2012	18/12/2006	ACE
9.	Avinash Gajanan Chavan	12/09/2011	18/12/2006	ACE
10.	Sagar Onkar Dange	11/07/2011	18/12/2006	ACE
11.	Jayprakash Murlidhar Bhirade	11/11/2011	18/12/2006	ACE
12.	Sachin Bandurao Chaudhary	08/08/2012	18/12/2006	ACE
13.	Vijay Bhimrao Dhawade	20/08/2011	18/12/2006	Senior Clerk
14.	Satyam Uttamrao Mokale	29/06/2007	18/12/2006	Junior Engineer
15.	Jitendra Vithal Kamble	30/06/2007	18/12/2006	Junior Engineer
16.	Anil Madhukar Fulke	29/06/2007	18/12/2006	Junior Engineer
17.	Viju Champatrao Nagrale	02/07/2007	18/12/2006	Junior Engineer
18.	Prakash Sakharam Thakare	26/09/2011	18/12/2006	Junior Engineer
19.	Niraj Dashrath Ukande	28/09/2011	18/12/2006	Junior Engineer
20.	Amol Ambadas Thakare	28/09/2011	18/12/2006	Junior Engineer
21.	Onkar Ramdas Zungre	06/08/2012	18/12/2006	Junior Engineer
22.	Rajesh Lalsing Rathod	28/09/2011	18/12/2006	ACE
23.	Pradeep Narayanrao Kogade	28/09/2011	18/12/2006	ACE



24.	Chetan Umesh Wankhade	28/09/2011	18/12/2006	ACE
25.	Nishikant Narayanrao Tawalare	28/09/2011	18/12/2006	ACE
26.	Ku. Nilam Vishnupantha Bhise	28/09/2011	18/12/2006	ACE
27.	Nitin Sudhakarrao Fursule	28/09/2011	18/12/2006	ACE
28.	Sachin Rameshrao Deshmukh	29/09/2011	18/12/2006	ACE
29.	Santosh Vishwnathrao Sawarkar	04/10/2011	18/12/2006	ACE
30.	Santosh Jankiram Chavan	07/10/2011	18/12/2006	ACE
31.	Gajanan Kisanrao Khade	06/08/2012	18/12/2006	ACE
32.	Sunil Rameshwar Paithane	03/10/2011	18/12/2006	Senior Clerk
33.	Sagar Shashikant Kamble	07/10/2011	18/12/2006	Senior Clerk
34.	Sheshrao Mahadevrao Kharat	08/06/2007	18/12/2006	Junior Engineer
35.	Deepak Barsu Badhe	08/03/2010	18/12/2006	Junior Engineer
36.	Mahesh Dagdu Marathe	26/08/2011	18/12/2006	Junior Engineer
37.	Ku. Deepali Ramesh Chandore	26/08/2011	18/12/2006	Junior Engineer
38.	Pramod Rambhau Raut	26/08/2011	18/12/2006	Junior Engineer
39.	Jaysing Narayansing Kurkunje	26/08/2011	18/12/2006	Junior Account Officer
40.	Shri Mahesh Prakash Jaiswal	26/08/2011	18/12/2006	ACE
41.	Dhananjay Dattatray Dange	26/08/2011	18/12/2006	ACE
42.	Samadhan Ramkrushna Warade	26/08/2011	18/12/2006	ACE



43.	Sachin Sanjay Gite	26/08/2011	18/12/2006	ACE
44.	Kailash Shivaji Jaybhaye	26/08/2011	18/12/2006	ACE
45.	Mangesh Gajanan Gajghane	26/08/2011	18/12/2006	ACE
46.	Mahendra Shrirang Jogdand	26/08/2011	18/12/2006	ACE
47.	Ku. Sujata Mahadev Gawande	26/08/2011	18/12/2006	ACE
48.	Manoj Devidas Tekale	16/07/2011	18/12/2006	Senior Clerk
49.	Ku. Priti Bhujangrao Nande	16/07/2011	18/12/2006	Senior Clerk

4. The service details of Shri Harshal s/o Subhashappa Mungse, Shri Pundlik s/o Ramdas Mendake, Shri Rajesh s/o Narayan Bommawar, Sangita Bhojraj Lanje, Jyoti Devidas Meghare, Durga Tulsidas Tondhare, Geetanjali Anant Nagrare and Rajesh Kewalram Shende i.e. the petitioners in Writ Petition No. 679/2021 are not available in the record.

5. The learned Counsel for the petitioners placed reliance in the Judgment of this Court in **Writ Petition No 861/2021 (Sunil S/o Uttamrao Palaskar & Ors. .vs. State of Maharashtra)**, dated 11.02.2026, wherein it would be significant to note that the issue involved here stands squarely covered and also by the Judgment delivered by the Aurangabad Bench in **Writ Petition No. 3489 of 2015, Mahesh s/o Chandrakant Bhagat**



& Ors. vs. State of Maharashtra & Ors., decided on 23/01/2026, along with the connected matters. In the said batch of petitions, one of the matters which was transferred from the Nagpur Bench to the Aurangabad Bench, bearing **Writ Petition No. 527 of 2025 (Old Writ Petition No. 4418 of 2016)**, **Vikas Ashokrao Dekate & Ors. vs. State of Maharashtra & Ors.**, was also considered and decided. The issue involved in the said petition is identical to the issue arising in the present petitions, and therefore the *ratio* laid down in the aforesaid judgments squarely applies to the case of the present petitioners.

6. The Aurangabad Bench relied on the Judgment of **Jaggo vs. Union of India & others, 2024 SCC OnLine SC 3826**, wherein the Hon'ble Apex Court while dealing with similar issues therein, held as under:

“29. the service of the appellant therein was uninterrupted for periods extending well beyond ten years. It is held that such tenure cannot be brushed aside merely by labelling their initial appointments as part-time or contractual. The nature of such employment needs to be considered in the light of sustained contribution, the integral nature of the work and there was no evidence to suggest that the entries were through any illegal or surreptitious route. The Hon'ble Court in the judgment also considered the judgment in the case of Umadevi (supra) and distinguished the said judgment. It is



observed that in the case of Umadevi (supra), the appointments were made de hors any procedure and were amounting to backdoor entries, whereas in the case at hand, the appointments were made by following procedure for appointment and selection process and there was nothing to indicate that the entries were backdoor entries.”

7. The Aurangabad Bench in **Mahesh s/o. Chandrakant Bhagat** (supra) held as under and allowed the petition:

“41. At this stage, it is material to see that the present Society is also a "State" under Article 12 of the Constitution of India. The learned Advocate Mr. Deshmukh relied upon the judgment in the case of Ajay Hasia and Ors. (supra). It is held that when society is controlled by the State, it can be treated as an instrumentality of the State under Article 12 of the Constitution of India. In the present case, it is clearly seen that initially, the appointments were made by the Zilla Parishad, as at the relevant time, the implementing machinery was the Zilla Parishad. Though now a society has been established, it is clearly seen that the scheme is funded by the Union of India. The society is established, funded and controlled by the State. The only purpose for which the society is established is to implement the scheme, which is extended till 2047. This Court has already held that the work is of perennial nature. The Government Resolution dated 31/07/2018 also clearly shows that the technical breaks are given only with the view to see that no right of permanency is created. Government Resolution itself shows that the work is of perennial nature and the Government has every apprehension that if no technical breaks are given benefits of permanency will have to be given as the work is of perennial nature. The welfare



Government is not expected to adopt such tactics and deny the benefits of permanency to the employees. Though the petitions are to be allowed, this Court finds the submissions of learned AGP to be correct so far as the payment of the arrears is concerned. The petitioners are entitled to get the arrears of salary for the period of three years preceding date of filing of the petition with bank interest.”

8. In view thereof, we are also inclined to pass a similar order in the present petitions, as the petitioners herein are similarly situated employees. Accordingly, we proceed to pass the following order:

- (i) All the Writ Petitions are allowed.
- (ii) The respondents-Authorities are directed to regularize the services of all the petitioners on their respective posts with effect from their respective initial dates of joining in service, with consequential benefits. Arrears of pay for last three years preceding filing of petition, to be paid to the petitioners within a period of 6 months from today as per Rule.
- (iii) The respondents-Authorities to create the posts to absorb the petitioners as either in Zilla Parishad or in the State Government or in the Society.
- (iv) Insofar as the petitioners in Writ Petition No. 679/2021, whose details are not available in the



record, we direct that the benefits as stated in the above operative clauses (ii) and (iii) shall be extended to the eligible petitioners.

9. All the writ petitions stands disposed of in the above terms. No order as to costs. Pending application(s), if any, stand(s) disposed of.

(NANDESH S. DESHPANDE, J.)

(SMT. M.S. JAWALKAR, J.)

Kirtak