



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

WRIT PETITION NO. 391 OF 2023

1) Shri. Purushottam Ramkrushna Bahetwar,
Aged about: 34 Occ: Service
At.Post. Chikhali Tq. Kurkheda
Dist. Gadchiroli Pin-441207

2) Tejashwi Balkrishna Patil
Aged about: 29 Occ: Service
C/o. Purushottam Ramkrushna Bahetwar
At Post. Chikhali Tq. Kurkheda
Dist. Gadchiroli Pin-441207

3) Vinita Hari Patil
Aged about: 31, Occ: Service
C/o. Purushottam Ramkruhna Bahetwar
At Post. Chikhali Tq. Kurkheda
Dist.Gadchiroli Pin-441207

4) Pranjali Uttam Rahangdale
Aged 33 : Occ: Service
Goldenpark yashwant wing flat no 501
Manewada Nagpur

5) Kajalekar Sandeep Subhash
Aged 30: Occ: Service
C/o. Purushottam Ramkrushna Bahetwar
At. Post. Chikhali Tq. Kurkheda
Dist. Gadchiroli Pin-441207

6)Kurapati Imlata Shrinivas
Aged 39: Occ: Service
C/o. Purushottam Ramkrushna Bahetwar
At Post. Chikhali Tq. Kurkheda
Dist. Gadchiroli Pin-441207

Belkhede, PS

7) Rosheet Dinesh Katre
Aged 30: Occ: Service
B.M. Patel ward, Near Pawar boarding,
Gondia

8) Dipali Giradhar Waghulade
Aged about 28, Occ. Service
C/O. Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli,
Pin-441207.

9) Gayatri Talele
Aged about : 29 Occ : Service
C/O. Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

10) Vasantika Dineshrao Meshram
Aged about : 29 Occ : Service
Plot No. 9, Rahatekarwadi,
Dasara Road, Mahal, Nagpur

11) Shivaji Shavaji Bhosale
Aged about 32: Occ: Service
C/O. Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

12) Sharad Yashavantrao Chavan
Aged about 28: Occ: Service
C/O. Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.

Pin-441207.

13) Pankaj Shashikant Kawale
Aged about 31: Occ: Service
Bhawani Ward Bramhapuri
Dist. Chandrapur.

14) Ajay Tulshiram Pawar
Aged about 34: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

15) Shivalkar Sail Vijay
Aged about 35: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

16) Miss Namrata Rajabapu Patil
Aged about 32: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

17) Vilas G. Bhagadkar
Aged about 32: Occ: Service
Zingabai Takali, Nagpur.

18) Khilesh Khelchand Harinkhede
Aged about 34: Occ: Service
At Takri Post Kalimati
Taluka Amgaon Dist. Gondia

19) Shubham Shashank Haldankar

Belkhede, PS

Aged about 36: Occ: Service
C/O.Purushottam
Ramkrushna Bahetwar
At. Post Chikhali Tq. Kurkheda
Dist. Gadchiroli.
Pin-441207.

20) Riyal Suraj Mulani
Aged about 29: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

21) Rupal Shrikrishna Dongare
Aged about 37: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

22) Amit Sumil Pandharpure
Aged about 28: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

23) Poonam Digambar Narkhede
Aged about 35: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

24) Abhijit Prakash Yadav
Aged about 36: Occ: Service

C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

25) Poonam Sagar Shetti
Aged about 29: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

26) Sagar Shashank Raje
Aged about 29: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

27) Priyanka Jagjivan Jambhulkar
Aged about 28: Occ: Service
Near N. B. Patel College,
Panchashil Ward, Th- Po- Sakoli
Dist. Bhandara.

28) Mrs. Pallavi Vikas Gite
Aged about 30: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

29) Prerana Sunil Jadhav
Aged about 25: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

30) Pradnya Sanjay Kamble
Aged about 28: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

31) Akshay Udaysingh Yadav
Aged about 30: Occ: Service
Amgaon Road, Behind Fulchur Bus Stop,
Fulchur, Gondia-441601.

32) Manisha Narayan Bhogvekar
Aged about 30: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

33) Sahadev Shivaji Sutar
Aged about 25: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

34) Dipali Rajaram Mankar
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

35) Sarveshkumar Ashok Pashte
Aged about 25: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.

Pin-441207.

36) Akash Suresh Bawanthade
Aged about 27: Occ: Service
Subash Ward No. 1,
At Post Tumkheda Khurd,
Gondia-441601.

37) Purshottam Shyamsundar Soni
Aged about 27: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

38) Sangram Sanjay Salve,
Aged about 28: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

39) Ankush Ashok Bansod
Aged about 30: Occ: Service
Khalashi Line Mohan Nagar
Nagpur.

40) Kunal Kiran Dixit
Aged about 29: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

41) Kishor Vitthalrao Ingole
Aged about 32: Occ: Service
Mahatma Phule Chowk, Washim

42) Dhanraj Bharatrao Jogdand
Aged about 41: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

43) Vaishali Kewaldas Gajbhiye
Aged about 29: Occ: Service
Padole Layout Wanadongari Hingna, Nagpur

44) Aaisha Kasam Vasta
Aged about 29: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

45) Pandurang Shankar Jagtap
Aged about 30: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

46) Ms. Shamina Appalal Sande
Aged about 28: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

47) Ms. Ashwini Ashok Sagavekar
Aged about 32: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

48) Shubhangi Sukhdeo Mankar
Aged about 35: Occ: Service
Civil Line, Nuri Chowk, Sai Mandir Road,
Mauli House, Gondia -441601.

49) Nilesh Ramesh Mahajan
Aged about 33: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

50) Prajakta Prabhakar Sutar
Aged about 36: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

51) Chetna Ashok Kore
Aged about 36: Occ: Service
Civil Lines, Noori Chowk,
Sai Mandir Road, Gondia-441601.

52) Miss. Priyanka Ashok Gujar
Aged about 34: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

53) Salman Kha Luqman Kha Tadv
Aged about 30: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

54) Rupali Sachin Yewale
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

55) Deepali Surendrakumar Ahire
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

56) Pratik Chintamani Sakhalakar
Aged about 34: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

57) Sayali Narayan Mohite
Aged about 32: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

58) Varsha Vyankatesh Manglaram
Aged about 32: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

59) Umera Firoz Marim
Aged about 29: Occ: Service

C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

60) Ravikiran Bapu Meshram
Aged about 26: Occ: Service
At Rohani Post Kudegaon
Tah Lakhandur Dist. Bhandara.

61) Prajata Prabhakar Jagdale
Aged about 25: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

62) Bhagyashree Kamlakar Mane
Aged about 36: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

63) Dussa Aparna Pravin
Aged about 35: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

64) Govind Damodar Agrawal
Aged about 30: Occ: Service
Near Shiv Mandir, Behind
Bidwaikar Chawl, Ganesh Nagar,
Gondia-441601 (M.S.)
Mob.8007149955

65) Mr. Sagar Mohan Chavan
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

66) Aniruddha A. Phalanikar
Aged about 35: Occ: Service
Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

67) Kalyani Pradip Kumbhar
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

68) Neha Fulichand Patle
Aged about 30: Occ: Service
Sales Tax Colony, Fulchurtola,
Gondia.

69) Mr.Nikhil Amardeep Bhosale
Aged about 28: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

70) Amit Namdev Sunule
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.

Pin-441207.

71) Puja Tanaji Dhigare
Aged about 32: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

72) Mrs. Priyanka Madanlal Channapattam
Aged about 32: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

73) Mr. Swapnil Arun Mistari
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

74) Mr. Omkar Dilip Sutar
Aged about 32: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

75) Rashmi Vijay Singh Dixit
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

76) Pranav Dipali Pande

Belkhede, PS

Aged about 30: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

77) Vaibhav Gopal Joshi
Aged about 30: Occ: Service
Ambika Nagar, Lakhala, Washim.

78) Priyanka Mukund Shanbhag
Aged about 29: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

79) Shweta Bapu Mane
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

80) Murtika Dulichand Chaudhary
Aged about 32: Occ: Service
C/O. Suraj Bisen, Bm. Patel Ward No 3,
New Laxminagar Gondia.

81) Arshi Anjum
Aged about 38: Occ: Service
Ayappa Nagar, Mankapur, Nagpur.

82) Shinde Ajay Shiwaji
Aged about 32: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.

Pin-441207.

83) Mrs. Himali Mihar Mahajan
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali Tq. Kurkheda
Dist. Gadchiroli.
Pin-441207.

84) Nukhil Ramesh Ghutke
Aged about 28: Occ: Service
Near Panchyat Samiti Vikas
Colony Nagbhid Taluka Nagbhid
Dist. Chandrapur-441205.

85) Swati Nrupatrao Nandeshwar
Aged about 29: Occ: Service
At. Post. Gagaon Ta. Dist. Gadchiroli

86) Fartade Mukund Harishchandra
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

87) Prasad Shashikant Patil
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

88) Gayatri Gurunath Shetye
Aged about 32: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.

Belkhede, PS

Pin-441207.

89) Ajit Balkrishna Kumbhar
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

90) Gosavi Onkar Suhas
Aged about 30: Occ: Service
R/O. C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

91) Preeti Dharampla Meshram
Aged about 31: Occ: Service
Sheshnagar Bramhapuri.

92) Jiteen Prakash Rathod
Aged about 29 Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

93) Chandanshive Sagar Chandrakant
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

94) Anurag Rajendra Mane
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali

Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

95) Deepali Vinayak Butale
Aged about 30: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

96) Tamboli Humaafroz Mohamadrafi
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

97) Ravindra Keshav Ambekar
Aged about 32: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

98) Kiran Subhash Baviskar
Aged about 33: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

99) Vaishali Bhaskar Dhokale
Aged about 30: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

100) Bhagyashree Mayur Wani
Aged about 32: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

101) Minal Ghanasham Magare
Aged about 30: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

102) Ranjit Anandrao Wagh
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

103) Mayuri Prakash Suryavanshi
Aged about 30: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

104) Shailesh Atmaram Kharde
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

105) Priyanka Shivaji Kadam
Aged about 32: Occ: Service
C/O.Purushottam Ramkrushna

Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

106) Shweta Rajendra Pawar
Aged about 32: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali Tq. Kurkheda
Dist. Gadchiroli.
Pin-441207.

107) Akshay Chandrashekhar Jamdar
Aged about 32: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

108) Jyoti Mahendra Pawar
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali Tq. Kurkheda
Dist. Gadchiroli.
Pin-441207.

109) Sarika Suresh Gaikwad
Aged about 28: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

110) Dipesh Ratanlal Wallecha
Aged about 29: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

111) Piyush Chandrakant Chudhari
Aged about 28: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

112) Vishakha Vitthal Kawale
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

113) Jayamala Vikas Khatal
Aged about 30: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

114) Shrikant Jayavant Patil
Aged about 38: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

115) Simesh Pranay Bhajipale
Aged about 29: Occ: Service
At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli. Pin-441207.

116) Shital Abhimanyu Bhaskar
Aged about 30: Occ: Service
At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.

Pin-441207.

117) Priti Joshi (Waghmare)
Aged about 32: Occ: Service
At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

118) Ajay Bhimrao Bhaladhare
Aged about 29: Occ: Service
At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

119) Jyoti M. Nimgade
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

120) Bhojwati N. Fating
Aged about 34: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

121) Sangeeta Lavhatre
Aged about 30: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

122) Arti D. Wasnik (Thool)
Aged about 32: Occ: Service
C/O.Purushottam Ramkrushna

Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

123) Uma P Nagpure
Aged about 31: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

124) Sudarshan Dattatraya Agale
Aged about 32: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

125) Shah Nasrin Munshibhai,
Aged about 36: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

126) Onkar Sukhdeo Dhangare
Aged about 32: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

127) Samadhan Sopan Bhagat
Aged about 34: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

128) Santosh Hanmant Waghmare
Aged about 32: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

129) Aishwarya S. Mangalg
Aged about 34: Occ: Service
C/O. At Asoli Post Fukkimeta
Tq Amgaon Dist. Gondia Pin-441902.

130) Mrs. Kpthale Pooja
Aged about 34: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

131) Mrs. Kolekar Nalini Balkrushna
Aged about 35: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

132) Mrs. Bali Madhuri Arjun
Aged about 37: Occ: Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

133) Kalim Abdul Karim Momin
Aged about 30 : Occ. Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali

Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

134) Mali Nitin Shivaji
Aged about 31 : Occ. Service
C/O.Purushottam Ramkrushna Bahetwar
At. Post Chikhali Tq. Kurkheda
Dist. Gadchiroli.Pin-441207.

135) Priyanka Yashwant Hasabe
Aged about 33 : Occ. Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

136) Atul Ashok Kadam
Aged about 36 : Occ. Service
C/O.Purushottam Ramkrushna
Bahetwar At. Post Chikhali
Tq. Kurkheda Dist. Gadchiroli.
Pin-441207.

137) Urmila Ravindra Patil
Aged about 29 : Occ. Service
C/O. Purushottam Ramkrushna
Bahetwar At. Post. Chikhali
Tq. Kurkheda Dist. Gadchiroli
Pin-441207.

138) Yogita Gangaram Walawalkar
Aged about 28 : Occ. Service
C/O. Purushottam Ramkrushna
Bahetwar At. Post. Chikhali
Tq. Kurkheda Dist. Gadchiroli
Pin-441207.

139) Farahanaz Nisar Ansari

Aged about 30 : Occ. Service
C/O. Purushottam Ramkrushna
Bahetwar At. Post. Chikhali
Tq. Kurkheda Dist. Gadchiroli
Pin-441207.

140) Darshana Dilip Handalkar
Aged about 32 : Occ. Service

141) Madhavi Dilip Patil
Aged about 35 : Occ. Service
C/O. Purushottam Ramkrushna
Bahetwar At. Post. Chikhali
Tq. Kurkheda Dist. Gadchiroli
Pin-441207.

142) Raviraj Gurudatt Wagh
Aged about 32 : Occ. Service
C/O. Purushottam Ramkrushna
Bahetwar At. Post. Chikhali
Tq. Kurkheda Dist. Gadchiroli
Pin-441207.

143) Dilesh Kaliram Chauriwar
Aged about 34 : Occ. Service
R/O. At Asoli Post Fukkimeta
Tq Amgaon Dist Gondia Pin-441902.

Petitioners

..VERSUS..

1. The State of Maharashtra,
Department of Higher and
Technical Education,
Mumbai 400 032

2. Directorate of Technical
Education (D.T.E.), Mahapalika
Marg Mumbai, through its Director.

Belkhede, PS

3. All India Council for Technical Education,
New Delhi,
Nelson Mandela Marg,
Vasant Kunj, New Delhi,
through its Chairman.

Respondents

Mr. Sunil Manohar, Senior Advocate assisted by Advocate Mrs. Gauri Vyankatraman for petitioners.

Mr. Harish Dangre, Advocate with Ms. M.H. Deshmukh, learned AGP for respondent/State.

Mr. N.P. Lambat, Advocate for respondent No.3.

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

RESERVED ON :30.09.2025

PRONOUNCED ON :13.11.2025

JUDGMENT (PER : RAJNISH R. VYAS)

Tussle between citizens and State has resulted into filing of present petition. Visiting lecturers through their counsel have argued that respondent State is not acting as an ideal employer, whereas, learned counsel for the State has argued that nature of appointment of the petitioners do not entitle them to claim regularization and permanency in service.

2. On the aforesaid lines, we have heard Mr. Sunil Manohar, learned Senior Counsel assisted by Advocate Mrs. Gauri Vyankatraman for petitioners and Mr. Harish Dangre with Ms. M.H. Deshmukh, learned AGP

for respondent/State. We have also heard Mr. N.P. Lambat, learned counsel for respondent No.3.

3. The petitioners in the instant petition claims to be the visiting lecturers, who were working at the time of filing of writ petition in various Government Polytechnic Colleges across the State, for years together, without any interruption. It is their case that though their appointment is by valid selection process, preceded by issuance of advertisement, conducting of interviews and though they are rendering and performing duties of regular lecturers, State is denying them the benefit of absorption and regularization in services. Thus, according to them, same is in violation of law laid down by this Court in case of ***Sachin Ambadas Dawale and Others Vs. State of Maharashtra and another [2014(2)Mh.L.J. 36]*** (“***Sachin Dawale*”) and Hon’ble Apex Court in case of *Dharamsingh and Others Vs. State of UP.***

4. All the petitioners have also stated that the respondents are extracting work of Full Time Lecturers from them but by not making them permanent, State has violated mandate of Article 14 of the Constitution of India. According to them, they perform various duties like setting up of question

papers, assessment and moderation of necessary answerbooks, arranging industrial visits, preparing laboratory plans, conducting sport activities etc. It is also their case that they are duly qualified for the post and therefore, there is absolutely no reason for the State to treat them in discriminatory manner.

5. According to the petitioners, regular appointments on the post of lecturers in Government Polytechnic Colleges through Maharashtra Public Service Commission are not being made since last many years and therefore, more than 50% of sanctioned regular posts are lying vacant. The Government by taking services of regular lecturer from them are paying meager amount of Rs. 15,600/- or more towards maximum salary, whereas the lecturers, who are performing same duties, are being paid higher than them. By employing their services as visiting lecturers and substituting services by other set of employees, respondents are adopting hire and fire policy.

6. It is their case that in the aforesaid background, the petitioners have preferred the present petition before this Court and vide order dated 10-08-2023, since interviews were tried to be conducted for the post of visiting

lecturers, interim order was granted observing that orders of appointment pursuant to interviews shall not be issued. The said order was thereafter continued until further order and still is in existence.

7. The petitioners have further contended that on 16.7.2014, again, it was brought to the notice of the Court that the respondent, had initiated fresh drive for filling up the post on clock hour basis by publishing advertisement, in spite of the earlier order dated 10-08-2023. Accordingly, vide order dated 16-07-2014, this Court had directed respondent Nos. 1 and 2 not to undertake any recruitment process unless leave is obtained from Court. It is also the case of petitioners that issue involved in the instant petition is no *res integra* since the judgment cited supra give helping hand to them.

8. Per contra, learned counsel Mr. Dangre has argued that the petitioners cannot be given benefit of regularization and permanency as their appointment was not according to the prescribed recruitment procedure . It is further contended by respondent Nos.1 and 2 that as per policy decision taken by State of Maharashtra in Higher and Technical Education Department (TEK-1), vide Government Resolution dated 17-03-2017, the

respondents have issued an advertisement through respective Principal of the Government Polytechnic Colleges by inviting application from eligible candidates, to engage theory and practical period on hourly basis, on purely temporary basis.

9. According to the State, the orders of appointment clearly show that such candidates are entitled to get remuneration of Rs. 500/- per period for theory period of 60 minutes duration and Rs. 250/- per period for practical period of 60 minutes. The State has also taken a stand that generally, Maharashtra Public Service Commission issues an advertisement for filling the post but same has not been done. It is further contended by the State that by way of Government Resolution dated 17-04-2023, remuneration of these lecturers is increased to Rs. 800/- per period for the theory period of 60 minutes duration, and Rs. 500/- per period for the practical period of 60 minute duration. The State has also distinguished law laid down by this Court in case of **Sachin Dawle** (supra) and further contended that law laid down in case of **Secretary, State of Karnataka and Others Vs. Umadevi and Others (2006)4 SCC 1** still holds the field.

10. According to Mr. Dangre, petition is also required to be dismissed

since material pleadings regarding date of appointment/entry date and exit date, is not mentioned in the petition and in absence of same, it is very difficult for the State to test their contention. Mr. Dangre, the learned counsel has also contended that as on date, none of the petitioners are rendering the services and therefore, it would not be appropriate to grant them relief as prayed for.

11. Mr. Sunil Manohar, learned Senior Counsel has contended that on 18-08-2025, the petitioners have made a statement that they would file an affidavit clarifying the date of entry and exit of the petitioners in service, which will have bearing in the issue involved in the petition and accordingly, the same was filed. He has further brought to our notice Pursis dated 3.10.2024, filed in pursuance with order dated 24.9.2024 and has given details of service of petitioners.

12. The learned counsel for petitioners during pendency of the instant petition has filed additional affidavit dated 09-08-2023 and contended that in order to defeat the claim of the petitioners, the Government Resolution dated 14-04-2023 was issued by which condition of furnishing an undertaking on a stamp paper of Rs. 100/- stating that teachers shall not, at

any time in future demand regularization in service, is mentioned.

According to petitioners, it is nothing but victimization and an attempt to defeat their claim.

13. An affidavit came to be filed by respondent No. 3 – All India Council for Technical Education, Mumbai (“AICTE”) which supported the stand taken by the petitioners. The respondent No. 3 in an affidavit, dated 15-03-2023, has stated that the petitioners were appointed after following the due selection procedure, against clear permanent vacant post, since they have fulfilled the requisite educational and other eligibility criteria being appointed on the post of regular lecturers as per AICTE Regulations.

14. According to them, the petitioners are working as visiting lecturer in various Government Polytechnic Colleges across the State of Maharashtra which is the identical work as that of regular permanent lecturer.

15. In this background, we have heard learned respective counsels at length and have also perused record. Issue involved in this petition is whether benefit of permanency and absorption can be granted to the petitioners?

16. The issue is required to be answered keeping in mind the principle Belkhede, PS

not only laid in case of *Umadevi* and *Sachin Dawale* and the judgment passed by this Court in Writ Petition No. 1609/2020 with connected matters on 30.10.2022, but developments which have taken place in service law.

17. It is not in dispute that petitioners are duly qualified to hold the post of lecturer in Government Polytechnic Colleges. It is also not in dispute that Maharashtra Public Service Commission had not published any advertisement and consequently not conducted the selection process. Thus, exercise of selecting the candidates by issuing advertisement, testing comparative merit was done by respective colleges.

18. At this stage, it is necessary to go through the various documents filed on record by the petitioners and the respondents in order to see what was the nature of appointment of the petitioners. Admittedly, if the advertisement produced on record by the petitioners is seen, it would be crystal clear that the post was to be filled through walk-in-interviews, for visiting faculty, purely on clock hour basis in various departments (**pg. 56**). The general instructions issued by the Government Polytechnic, Karad (**pg. 50**) shows that the remuneration rates are mentioned for Theory Lecture – Rs. 500/- per clock hour and for Practical - Rs. 250/- per clock hour. The

duties of visiting lecturers are also mentioned therein. Even the appointment order **(pg. 61)** would clearly show that the appointment was on hourly basis. Thus, it is crystal clear that the appointment was not on sanctioned post and purely on hourly basis.

19. It is further necessary to mention here that a staffing pattern fixed in the year 2023 when petition was filed, was not finalized by the respondents and it was under process. The staffing pattern fixed in 2004 with the ratio 1:15 , was further revised as 1:25 by respondent nos. 1 and 2 under Government Resolution dated 11.2.2025. The said G.R. was challenged in Original Application No. 293/2025 before the Maharashtra Administrative Tribunal, Nagpur Bench, Nagpur which vide its order dated 21.4.2025 directed to revise the staffing pattern given in the Annexures of Government Resolution dated 11.2.2025 in terms of paragraph No. 11 of the order, which reads thus:

“11. The applicants in their prayer have raised objection to putting the three categories, namely the (1) students in the Economically Weaker Section (EWS), (ii) Tuition Fee Waiver Scheme (TFWS) and (iii) laterally entered to second year, in the supernumerary category. We examine these three categories in view of the AICTE guidelines (Approval Process Handbook for the years 2024-2027) and reply of the respondents.

(A) The A.I.C.T.E, guidelines have put the category of Tuition Fee Waiver Scheme (TFWS) students in

supernumerary category and therefore cannot be considered in Approved Intake. The relevant clause of the guidelines is given in paragraph 8, above.

(B) The term Lateral Entry is defined in the guidelines as: Lateral Entry means admission of students into the second year of Diploma/Under graduate Degree courses as per Chapter VII of Approval Process Handbook. The respondents have accepted in their reply that the category of Lateral Entry students are being considered in approved intake category by them and not as supernumerary. But, in the definition of supernumerary seats given in paragraph 6, the term, "Lateral entry" is included in the supernumerary category. The Clause 6.13 (a) of the Handbook of 2024-2027, "Admission to Lateral Entry to second year course(s) is as follows:

a. Lateral Entry to the year second Diploma/Undergraduate Degree course(1) as applicable in Annexure-& shall be permissible up to a maximum of 10% of the "Approved Intake" which shall be over and above, (supernumerary) of the Approved Intake, plus the unfilled vacancies of the First Year as specified in the Approval Process Handbook.

Therefore, the respondents may take an appropriate decision to see that the categorisation of "Lateral Entry is as per the AICTE guidelines.

(C) The relevant clauses of the guidelines do not suggest that the category of EWS students is to be treated as supernumerary. The office memorandum dated 17.01.2019 by the Ministry of Human Resource Development, Department of Higher Education, New Delhi is in a different context and cannot be treated as a clarification of the AICTE, guidelines for explaining the term Approved Intake. Such clarification, if any, should be mentioned in the AICTE guidelines only. Also, this Notification does not mean that even after two years of the commencement of the Act, the EWS students are to be treated as extra. In fact, this Memorandum suggests that

the annual permitted strength has to be increased within the initial two years. Therefore, it is incorrect to treat the EWS students as supernumerary and they need to be included in the category of approved intake only.

20. Thus, it cannot be ignored that now the staffing pattern will also change, in view of the order passed by the tribunal .

21. So far as nature of appointment and consideration of that aspect, while granting a prayer for regularization is concerned, recently the question has been dealt with in detail in **Writ Petition No. 5552/2015** decided on 7.1.22 by Hon'ble Aurangabad bench of Bombay High Court, in case of **Vishal Tambe Vs. State of Maharashtra**, relevant observations of which are as under:

“12. We recently had an occasion to deal with a similar issue of regularization of contractual lecturers in Ganesh Digambar Jambhrunkar and Others Vs. State of Maharashtra and Others 2022 DGLS (Bom.) 2921 (Writ Petition No. 4546 of 2016 decided on 20.09.2022). We have decided the issue of entitlement of contractual lecturers for regularization of their services on the basis of judgment of this Court in Sachin Dawale. We have considered the entire case law on the subject including the landmark judgment of the Constitution Bench Secretary, State of Karnataka and Others Vs. Umadevi (3) and Others (2006) 4 SCC 1. In Ganesh Digambar Jambhrunkar (supra), in paragraph Nos. 22 to 28 it is held as under :

“22. Since we are dealing with the prayer for regularization of services, no discussion can be complete without reference to the landmark judgment of the Apex Court in the case of Secretary State of Karnataka and others Vs. Umadevi and others

2006(4) SCC 01 which marks a critical turning point on the issue of regularization of services of ad-hoc or temporary employees. The Constitution Bench of the Supreme Court considered the question whether State can frame a scheme for regularization of services of an ad hoc/temporary/daily wagers appointed in violation of doctrine of equality or those appointed with a clear stipulation that such appointments would not confer any right on them to seek regularization. The Supreme Court also considered the issue whether Courts can issue mandamus for regularization or absorption of such appointees. While answering the questions in negative, the Constitution Bench has held as under : "47. When a person enters a temporary employment or gets engagement as a contractual or casual worker and the engagement is not based on a proper selection as recognised by the relevant rules or procedure, he is aware of the consequences of the appointment being temporary, casual or contractual in nature. Such a person cannot invoke the theory of legitimate expectation for being confirmed in the post when an appointment to the post could be made only by following a proper procedure for selection and in concerned cases, in consultation with the Public Service Commission. Therefore, the theory of legitimate expectation cannot be successfully advanced by temporary, contractual or casual employees. It cannot also be held that the State has held out any promise while engaging these persons either to continue them where they are or to make them permanent. The State cannot constitutionally make such a promise. It is also obvious that the theory cannot be invoked to seek a positive relief of being made permanent in the post.

48. It was then contended that the rights of the employees thus appointed, under Articles 14 and 16 of the Constitution, are violated. It is stated that the State has treated the employees unfairly by employing them on less than minimum wages and extracting work from them for a pretty long period in comparison with those directly recruited who are getting more wages or salaries for doing similar work. The employees before us were engaged on daily wages in the concerned department on a wage that was made known to them. There is no case that the wage agreed upon was not being paid. Those who are working on daily wages formed a class by them- selves, they cannot claim that they are discriminated as against those who have been regularly recruited on the basis of the relevant rules. No right can be founded on an employment on daily wages to claim that such employee should be treated on a par with a regularly recruited candidate, and made permanent in employment, even assuming that the principle could be invoked for claiming equal

wages for equal work. There is no fundamental right in those who have been employed on daily wages or temporarily or on contractual basis, to claim that they have a right to be absorbed in service. As has been held by this Court, they cannot be said to be holders of a post, since, a regular appointment could be made only by making appointments consistent with the requirements of Articles 14 and 16 of the Constitution. The right to be treated equally with the other employees employed on daily wages, cannot be extended to a claim for equal treatment with those who were regularly employed. That would be treating unequals as equals. It cannot also be relied on to claim a right to be absorbed in service even though they have never been selected in terms of the relevant recruitment rules. The arguments based on Articles 14 and 16 of the Constitution are therefore overruled.

49. It is contended that the State action in not regularizing the employees was not fair within the framework of the rule of law. The rule of law compels the State to make appointments as envisaged by the Constitution and in the manner we have indicated earlier. In most of these cases, no doubt, the employees had worked for some length of time but this has also been brought about by the pendency of proceedings in Tribunals and courts initiated at the instance of the employees. Moreover, accepting an argument of this nature would mean that the State would be permitted to perpetuate an illegality in the matter of public employment and that would be a negation of the constitutional scheme adopted by us, the people of India. It is therefore not possible to accept the argument that there must be a direction to make permanent all the persons employed on daily wages. When the court is approached for relief by way of a writ, the court has necessarily to ask itself whether the person before it had any legal right to be enforced. Considered in the light of the very clear constitutional scheme, it cannot be said that the employees have been able to establish a legal right to be made permanent even though they have never been appointed in terms of the relevant rules or in adherence of Articles 14 and 16 of the Constitution.

23. Since Ms. Talekar has relied upon the decision of the Apex Court in the case of *State of Haryana and others Vs. Piara Singh and others* (supra), we must refer to para 26 of the judgment in the case of *Umadevi* in which it is held that the directions given in the case of *Piara Singh* were inconsistent and run counter to the constitutional scheme of employment. It is specifically clarified that the decision in the case of *Piara Singh* cannot be said to have held

that all ad hoc/temporary/casual employees appointed without following recruitment procedure should be made permanent. In fact in para 54 of the judgment in Umadevi, the Constitution Bench has clarified that all the earlier decisions of the Apex Court which run counter to the principles settled by it in Umadevi would be denuded of their status as precedents.

24. Thus, it is the Constitution Bench judgment in Umadevi which would govern the field of regularization and all the earlier judgments rendered by the Apex Court have lost their precedential value. Despite of law on regularization having been authoritatively laid down by the Constitution Bench in Umadevi, an attempt was made by a two judges Bench of the Apex Court in the case of U. P. State Electricity Board Vs. Pooran Chandra Pandey reported in 2007 (11) SCC 92 to water down the binding effect of judgment in the case of Umadevi. A three judges Bench of the Apex Court was therefore required to examine permissibility of such watering down of the Constitution Bench decision in the case of Umadevi. In the case of Official Liquidator Vs. Dayanand (supra) in para Nos. 90, 91 and 92 the Apex Court has held as under :

"90. We are distressed to note that despite several pronouncements on the subject, there is substantial increase in the number of cases involving violation of the basics of judicial discipline. The learned Single Judges and Benches of the High Courts refuse to follow and accept the verdict and law laid down by coordinate and even larger Benches by citing minor difference in the facts as the ground for doing so. Therefore, it has become necessary to reiterate that disrespect to constitutional ethos and breach of discipline have grave impact on the credibility of judicial institution and encourages chance litigation. It must be remembered that predictability and certainty is an important hallmark of judicial jurisprudence developed in this country in last six decades and increase in the frequency of conflicting judgments of the superior judiciary will do incalculable harm to the system inasmuch as the courts at the grass root will not be able to decide as to which of the judgment lay down the correct law and which one should be followed.

91 We may add that in our constitutional set up every citizen is under a duty to abide by the Constitution and respect its ideals and institutions. Those who have been entrusted with the task of administering the system and operating various constituents of the State and who take oath to act in accordance with the Constitution and uphold the same, have to set an example by exhibiting total

commitment to the Constitutional ideals. This principle is required to be observed with greater rigour by the members of judicial fraternity who have been bestowed with the power to adjudicate upon important constitutional and legal issues and protect and preserve rights of the individuals and society as a whole. Discipline is sine qua non for effective and efficient functioning of the judicial system. If the Courts command others to act in accordance with the provisions of the Constitution and rule of law, it is not possible to countenance violation of the constitutional principle by those who are required to lay down the law.

92. In the light of what has been stated above, we deem it proper to clarify that the comments and observations made by the two-Judges Bench in UP State Electricity Board vs. Pooran Chandra Pandey (supra) should be read as obiter and the same should neither be treated as binding by the High Courts, Tribunals and other judicial for as nor they should be relied upon or made basis for bypassing the principles laid down by the Constitution Bench.

25. Thus, the settled position of law now is that no person appointed on temporary/casual/adhoc/contractual basis can claim regularization or permanency in service. A one time exception has been carved out by the Apex Court in para No. 53 of the judgment in the case of Umadevi, wherein irregular appointments of duly qualified persons in duly sanctioned vacant posts where employees have worked for 10 years or more without intervention of Court orders have been permitted to be regularized. This Court at its Principal Seat in the case of Union of India and others Vs. Smt. Lalita V. Mertia in Writ Petition No. 1338 of 2015 decided on 08 October 2021 has held that the said exception made in the case of Umadevi is a one time exception and applicable only in respect of employees who have completed ten years as on 10th April 2006. It is held that it was never the intention of the Apex Court to permit regularization of those who had not completed 10 years of service as on the date of rendering of the judgment.

ISSUE OF REGULARISATION OF PETITIONERS

26. Having considered the law on the subject of regularization, we now advert to the issue of entitlement of the petitioners to seek the relief of regularization. At the outset, it must be noted that the petitioners are not covered by the one time exception carved out in para 53 of the judgment in the case of Umadevi as the very entry of the petitioners in service is after the cut-off date of 10th

April 2006. Thus, applying the law enunciated by the Constitution Bench in the case of *Umadevi* as interpreted by this Court in *Lalita Mertia*, there is no right in favour of the petitioners to seek regularization of their services.

27. Now we proceed to examine the entitlement of the Petitioner for regularization as per the judgment of this Court in the case of *Sachin Ambadas Dawale* (supra), which has been the sheet anchor of Ms. Talekar's submissions for extension of similar treatment to the petitioners. In the case of *Sachin Ambadas Dawale* (supra) the petitioners therein were lecturers appointed in various departments of Government Polytechnic in the State of Maharashtra as per the policy incorporated in the G. R. dated 25 July 2002, 02 August 2003 and 03 August 2003. Since there was a ban on recruitment in the State of Maharashtra since 1998, contract appointments were effected on vacant sanctioned posts of lecturer in Government Polytechnic till nomination of candidates by the Maharashtra Public Service Commission. In these peculiar facts of the case, this Court directed regularization of services of the petitioners therein on completion of three years' service. However, since the judgment in *Sachin Ambadas Dawale* (supra) resulted in raising of numerous claims for regularization by persons dissimilarly situated, this Court was required to clarify its judgment by its order dated 27.04.2017. In the clarificatory order, it is held as under :

"In these peculiar facts and circumstances, we had observed that the appointment of petitioners could not be said to be a backdoor entry and as such, we had distinguished the Judgment of the Apex Court in the case of Secretary, State of Karnataka and Ors. vs. Umadevi and Others reported in AIR 2006 SC 1806 (1). We had also considered that the State Government itself in the category of various other employees had regularised the services of various employees. We had further observed that, for a long period during which the petitioners were in employment, the Maharashtra Public Services Commission had also not conducted the interviews and as such, during the intervening period when the petitioners were continued in the employment, after having undergone due selection process, they had attained upper age limit and as such, when the State itself had not conducted the selection process through MPSC for more than 10 years, the petitioners who were selected through due selection process could not be penalised. We had observed that, on account of inaction on the part of the State, selection process for a period of more than 10 years was not held and hence, the petitioners, who had by efflux of time, 20 wp_4546.16.odt become age bar,

cannot be penalised and thrown out of their job. We had specifically observed that, insofar as the case of Umadevi is concerned, the appointments therein were made clandestinely and without advertisement and the persons were appointed without following the due process of law.

It could thus be seen that, in the peculiar facts and circumstances of the case, the petitioners in the present petition were selected in pursuance of the Government Resolution dt.25.7.2002 after following the due selection process by the Selection Committee duly constituted under the said Government Resolution and on account of inaction on the part of the State Government in not holding the selection process through the MPSC for a period of more than 10 years, many of the petitioners had become age bar and as such, they were deprived of opportunity of undergoing selection process through MPSC, we had found that a special case was made out for regularisation of services of the petitioners therein. We may specify that we had restricted the claim of the petitioners who were already in service when they had approached the Court. By no stretch of imagination, the said Judgment could be applicable to the persons who had already left the job and taken chances.

We may also observe that, citing the said Judgment, some of the employees who are appointed on temporary or contractual basis and who are removed after putting in a year's or two years service are also seeking regularisation. We may clarify that the said Judgment would not lay the ratio that, the persons who are appointed on purely contractual or temporary basis without following the due selection process as laid down by the Apex Court in the case of Umadevi, would also be entitled to regularisation of their services.

28. Thus, this Court has specifically clarified that the judgment in Sachin Ambadas Dawale (supra) does not lay down a ratio that persons appointed on purely contractual or temporary basis without following due selection process as laid down by the Apex Court in the case of Umadevi would also be entitled to regularization of their services. The present petitions have been filed on 18.04.2016 before issuance of the clarification by this Court on 27.04.2017. Thus, in view of the specific clarification issued by this Court by order dated 27.04.2017, the petitioners are not entitled to the relief of regularization by relying on the judgment in the case of Sachin Ambadas Dawale (supra)."

22. In the aforesaid background and for deciding whether petitioners are entitled for the relief of regularisation, principle of law regarding pleading is required to be kept in mind. Hon'ble Apex Court in case of ***Bharat Singh Vs. State of Haryana***, reported in **1988 (4) SCC 534** has observed as under:

“13. As has been already noticed, although the point as to profiteering by the State was pleaded in the writ petitions before the High Court as an abstract point of law, there was no reference to any material in support thereof nor was the point argued at the hearing of the writ petitions. Before us also, no particulars and no facts have been given in Special Leave Petitions or in the Writ Petitions or in any affidavit, but the point has been sought to be substantiated at the time of hearing by referring to certain facts stated in the said application by HSIDC. In our opinion, when a point which is ostensibly a point of law is required to be substantiated by fact, the party raising the point, if he is the writ petitioner, must plead and prove such facts by evidence which must appear from the writ petition and if he is the respondent, from the counter affidavit. If the facts are not pleaded or the evidence in support of such fact is not annexed to the writ petition or to the counter affidavit, as the case may be the court will not entertain the point. In this context it will not be out of place to point out that in this regard there is a distinction between a pleading under the Code of Civil Procedure and a writ petition or a counter affidavit. While in a pleading, that is, a plaint or a written statement, the facts and not evidence are required to be pleaded, in a writ petition or in counter affidavit not only the facts but also evidence in proof of such facts have to be pleaded and annexed to it.....”

23. If writ petition is perused, in the light of judgment of aforesaid

position of law, it can be seen that exact details regarding entry and exit in appointment, gap between two appointment orders, manner in which after first appointment post were filled (whether selection committee was constituted or not, whether approval for filling the post was taken or not, should have been brought by the petitioners on record by way of positive evidence. Filing of affidavit and Pursis giving information about entry and exit will not be sufficient to grant the relief. Just filing proforma of appointment order of few petitioners and advertisement in cases of few would not be enough to extend the benefit of regularisation. In fact, for extending the benefit of regularisation, specific averment along with evidence by way of relevant documents ought to have been brought on record by the petitioners, of each petitioners independently to test the claim of each petitioners on the line of judgment in the case of ***Sachin Dawale***(supra).

To determine the applicability of ***Sachin Dawle***'s case, each of the petitioners need to establish by producing documentary evidence that due procedure of appointment was followed at the time of appointment of each of petitioner. The petitioners ought to have filed documentary evidence on record to establish such fact, namely the advertisement, document showing constitution of Selection Committee, the Select List, the Appointment Order

showing nature of appointment, the period of appointment, the post on which such appointment was made.

24. Thus, it can be seen that while considering the issue, various aspects were taken into consideration including nature of appointment also. We have also perused the chart filed by the petitioners, by way of Pursis, in which details of appointment are given. If the said chart is perused, it would reveal that the petitioners have given the date of first appointment and years of service. Different petitioners have worked for different period ranging from two years to eleven years, but in absence of specific record or documentary evidence relating to each fact mentioned in respect of each of the petitioners, relief claimed cannot be granted.

25. Our thought process has also taken into consideration the fact that, while taking entry into service, the petitioners were very well aware of the fact that they were appointed as a visiting lecturers for particular period on fixed remuneration rates. The petitioners have accepted employment including relevant terms and conditions thereof, with open eyes..

26. It is further necessary to mention here that the law laid down by the Hon'ble Apex Court in ***Secretary, State of Karnataka and Others Vs. Umadevi and Others, (2006) 4 SCC 1***, still holds the field. Even new trend Belkhede, PS

in educational field like introduction of various new courses, which have been brought to our notice by way of Civil Application No. 595/2025, cannot be ignored. In said application, the respondents have categorically stated that new courses which are gaining popularity on demand in years like Mechatronics AIML etc also requires creation of new posts. It was also stated that for want of talent, the said posts could not be filled in. Though Civil Application was subjected to interim order and in reply to the said Civil Application, the petitioners have disputed the fact and called it as misleading argument, fact cannot be ignored that there are emerging new trends which requires hiring of new talent.

27. The argument that petitioners were working on the post for several years cannot be the only deciding factor for grant of regularization. The Hon'ble Apex Court in case of **Umadevi** (supra) has observed as under, which is sufficient to answer the said question.

“5. This Court has also on occasions issued directions which could not be said to be consistent with the Constitutional scheme of public employment. Such directions are issued presumably on the basis of equitable considerations or individualization of justice. The question arises, equity to whom? Equity for the handful of people who have approached the Court with a claim, or equity for the teeming millions of this country seeking employment and seeking a fair opportunity for competing for employment? When one side of the coin is considered, the other side of the coin, has also to be considered and the way open to any court of law or justice, is to adhere to the law as laid down by the Constitution and not to make directions, which at times, even if do not run counter to the Constitutional scheme, certainly tend to water down the Constitutional requirements. It is this conflict that is

reflected in these cases referred to the Constitution Bench.”

28. It requires to be further considered that guest lecturers are invited only when there is a situation to impart education when the particular faculty is either not appointment or not available.

29. Much emphasis has been laid on judicial dictum in case of **Sachin Dawale** by both the parties. According to the petitioners, this Court in **Sachin Dawale's** case, in similar circumstances, granted regularization of services and permanency. The said judgment was taken exception to by State Government in Special leave to Appeal No. 39014/2013 which was also dismissed on 6-1-2015. The petitioners relying upon the said judgment have stated that in that case also, the persons, who claimed permanency were eligible candidates for the post of lecturers in Government Polytechnic Colleges in the State of Maharashtra. The petitioner therein had contended that there appointment was through legally constituted Selection Committee and on contractual basis, on permanent and full time post and considering the aforesaid aspect, the permanency granted to them with regularization. Learned counsel Mr. Dangre, tried to distinguish aforesaid judgment of **Sachin Dawale** passed in Writ Petition No. 2046/2010 by this Court on 19-10-2013 by advancing an argument that the judgment dated 19-10-2013 was clarified subsequently on 27-04-2017 as the State had preferred Civil

Application for clarification of order dated 19-10.2013. By taking aforesaid argument further Mr. Dangre contended that since the petitioners are not in services, following observation of the Court will make their claim fragile. Relevant observation of the Court, clarifying order dated 19-10-2013 on 27-04-2017, is reproduced below:

“We may specify that we have restricted the claim of the petitioners who were already in service when they had approached the Court. By no stretch of imagination, the said judgment could be applicable to the persons, who had already left the job and taken chances.”

*We may also observe that, citing the said judgment, some of the employee, who are appointed on temporary or contractual basis and who are removed after putting in years or two years service are also seeking regularization. We may clarify that said judgment would not lay the ratio that the person, who are appointed on purely contractual or temporary basis without following the due selection process as laid down by the Hon’ble Apex Court in case of **Umadevi** would also be not entailed to regularization of their services.*

30. He further contended that the clarification was further done vide order dated 21-11-2017 passed in civil application no. 2599 of 2017 in Writ Belkhede, PS

petition no. 2046 of 2010(D) and relevant portion of the order is reproduced below:

“4 If both, the judgments and order dated 19th October, 2013 so also clarificatory order dated 27th April, 2017 are read together the position is very clear that only such of the employees, who were in continuous employment as on 15.10.2013 are entitled to the protection granted by us.”

31. Thus according to Mr. Dangre, petitioners are not at all entitled for any relief since position of law is clarified by subsequent orders in Sachin Dawale’s case.

32. Much reliance was placed by the counsel for the petitioners on the **Judgment** delivered in case of *Dharam Singh and others Vs. State of UP and another* in Civil Appeal No. 8558–2018, dated 19th of August 2025 by contending that the state should act as a model employer and should not take recourse to hire and fire policy.

33. For proper appreciation of the said judgment, the facts are required to be considered. In that case, appellants/class III and IV employees were engaged by the UP higher education services commission on daily wages

basis. From 8-4-1997, they received consolidated monthly amount while discharging their duties. The commission then processed large recruitment cycles for teachers and principals and required ministerial support for scrutiny of applications, dispatch, and connected and state work. The commission further decided to create 14 post in Class III and IV and requested sanction from the state government. The government then sought particulars of daily wagers and their service details. The commission in turn furnished list of 14 daily wagers. Again request was made by the commission to the state for sanction of 2 class iii posts and 10 class iv posts . The state rejected proposal citing financial constraints, which was challenged by the workers in writ petition, in which apart from other prayers, Prayer made before the High Court regarding issuing of mandamus to state, to sanction/create 14 posts in class – iii and iv for the commission in terms of commission's resolution and proposal. Before the High Court, they did not get any relief. Finally knocking the doors of Hon'ble Apex court, prayers for setting aside of the impugned judgment and grant of regularisation was made. In this background, following observations were made by Hon'ble Apex Court:-

“When public institutions depend, day after day, on the same hands to perform permanent tasks, equity demands that those tasks are placed on sanctioned posts, and those workers are treated with fairness and dignity. The

controversy before us is not about rewarding irregular employment. It is about whether years of ad hoc engagement, defended by shifting excuses and pleas of financial strain, can be used to deny the rights of those who have kept public institutions running. We resolve it by insisting that public employment should be organised with fairness, reasoned decision making, and respect for the dignity of work”.

34. It is thus crystal clear that in that case, there was a specific proposal forwarded by the commission to the State Government, which was ignored by the government. In the case in hand, there is absolutely no proposal forwarded / resolution passed, by respondents for creation of Post. Thus, the position of law more particularly, in case of **Umadevi, Sachin Dawle** and **Dharam Singh**, discussed supra, if considered holistically would reveal that the petitioners cannot be granted relief of permanency.

35. It is in this background, we are of the opinion that prayers made in petition cannot be granted and therefore petition is liable to be dismissed. accordingly, it is dismissed.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)