

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD**

**1) Original Application No. 659 OF 2021**

**WITH**

**Misc. Application No. 441 OF 2023**

DIST. : BEED

Sushilkumar s/o Babasaheb Rakh,  
Age. 24 years, Occu. Education,  
R/o Therla, Tq. Patoda, Dist. Beed.

.. **APPLICANT**

**V E R S U S**

1. The State of Maharashtra,  
Through its Secretary  
Public Health Department,  
G.T. Hospital, B-Wing, 10<sup>th</sup> Floor,  
Complex Building, New Mantralaya,  
Mumbai.
2. The Director, Health Department,  
Central Building, Maharashtra State,  
Pune – 1.
3. The Joint Director,  
Health Services, (Malaria, Falaria and  
Waterborne disease),  
Near Visharant Wadi Police Station,  
Yerwada, Pune, Tq. & Dist. Pune.
4. The Assistant Director,  
Health Services (Malaria), Latur.
5. The Assistant Director,  
Health Services (Malaria), Pune – 6.
6. The District Malaria Officer,  
Pandharpur Ujani Vasahat,  
Near Datta Temple, Pandharpur,  
Dist. Solapur.
7. The District Malaria Officer,  
Vaidya Building, Near Tahsil Office,  
Beed, Dist. Beed.

.. **RESPONDENTS**

**2) Original Application No. 661 OF 2021**  
**WITH**  
**Misc. Application No. 442 OF 2023**

DIST. : BEED

Ganesh s/o Ramkisan Sanap,  
 Age. 26 years, Occu. Nil,  
 R/o Hamunanwadi Wadzari,  
 Post Domari, Tq. Patoda, Dist. Beed.

.. **APPLICANT**

**V E R S U S**

1. The State of Maharashtra,  
 Through its Secretary  
 Public Health Department,  
 G.T. Hospital, B-Wing, 10<sup>th</sup> Floor,  
 Complex Building, New Mantralaya,  
 Mumbai.
2. The Director, Health Department,  
 Central Building, Maharashtra State,  
 Pune – 1.
3. The Joint Director,  
 Health Services, (Malaria, Falaria and  
 Waterborne disease),  
 Near Visharant Wadi Police Station,  
 Yerwada, Pune, Tq. & Dist. Pune.
4. The Assistant Director,  
 Health Services (Malaria), Latur.
5. The Assistant Director,  
 Health Services (Malaria),  
 Central Building, Bawda, Karveer,  
 Kolhapur – 416 006.
6. The District Malaria Officer,  
 Nachan Road, Ratnagiri,  
 Dist. Ratnagiri – 516 612.
7. The District Malaria Officer,  
 Vaidya Building, Near Tahsil Office,  
 Beed, Dist. Beed.

.. **RESPONDENTS**

**3) Original Application No. 185 OF 2022****WITH****Misc. Application No. 444 OF 2023**

DIST. : BEED

1. Ramdas s/o Bhimrao Sanap,  
Age. 33 years, Occu. Nil,  
R/o Hanumanwadi, Post Domari,  
Tq Patoda, Dist. Beed.

.. **APPLICANT**

2. Pradip s/o Ambadas Nagargoje,  
Age. 26 years, Occu. Nil,  
R/o Yawalwadi, Tq Patoda,  
Dist. Beed.

3. Goraksha s/o Navnath Sanap,  
Age. 32 years, Occu. Nil,  
R/o Hanumanwadi, Post Domari,  
Tq Patoda, Dist. Beed.

4. Balkrishna s/o Kchru Rakh,  
Age. 36 years, Occu. Nil,  
R/o Wadzari, Post Domari,  
Tq Patoda, Dist. Beed.

**V E R S U S**

1. The State of Maharashtra,  
Through its Secretary  
Public Health Department,  
G.T. Hospital, B-Wing, 10<sup>th</sup> Floor,  
Complex Building, New Mantralaya,  
Mumbai.
2. The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune - 1.
3. The Joint Director,  
Health Services, (Malaria, Falaria and  
Waterborne disease),  
Pune - 6.
4. The Assistant Director,  
Health Services (Malaria), Latur.

5. The Assistant Director,  
Health Services (Malaria), Nagpur.
6. The District Malaria Officer,  
Gondiya, Dist. Gondiya.
7. The District Malaria Officer,  
Beed, Dist. Beed.

.. **RESPONDENTS**

**4) Original Application No. 186 OF 2022**  
**WITH**  
**Misc. Application No. 445 OF 2023**

DIST. : BEED

1. Ganesh s/o Vinayak Darade,  
Age. 32 years, Occu. Nil,  
R/o at Limba Rue, Post Murshadpur,  
Tq & Dist. Beed.
2. Sambhaji s/o Vitthal Bade,  
Age. 29 years, Occu. Nil,  
R/o Wadgaon, Tq. Pathardi,  
Dist. Ahmednagar.
3. Saiprasad s/o Kisanrao Bansode,  
Age. 36 years, Occu. Nil,  
R/o Malakoli. Tq. Lohara,  
Dist. Nanded.

.. **Applicants**

**V E R S U S**

1. The State of Maharashtra,  
Through its Secretary  
Public Health Department,  
Mantralaya, 10<sup>th</sup> Floor,  
G.T. Hospital, Complex,  
Mumbai – 400 032.
2. The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune – 1.

3. The Joint Director,  
Health Services, (Malaria, Falaria and  
Waterborne disease),  
Pune - 6.
4. The Assistant Director,  
Aarogya Sankul, Barshi Road,  
Health Services (Malaria), Latur.
5. The Deputy Director,  
Health Services (Malaria),  
Aarogya Sankul, Barshi Road,  
Latur.
6. The District Malaria Officer,  
Osmanabad, Dist. Osmanabad.
7. The District Malaria Officer,  
Beed, Dist. Beed.

.. **RESPONDENTS**

**5) Original Application No. 878 OF 2022**

DIST. : BEED

Dattatray s/o Adinath Galgate,  
Age. 33 years, Occu. Nil,  
R/o Ashta, Hari Narayan,  
Tq. Ashti, Dist. Beed.

.. **APPLICANT**

**V E R S U S**

1. The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
Mantralaya, 10<sup>th</sup> Floor, G.T. Hospital,  
Complex, Mumbai – 400 032.
2. The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune – 1.
3. The Joint Director,  
Health Services, (Malaria, Falaria and  
Waterborne disease), Pune - 6.
4. The Assistant Director,  
Health Services (Malaria), Latur.

5. The District Malaria Officer,  
Parbhani, Rajchan Nagar,  
Karegaon Road, Parbhani,  
Dist. Parbhani.
6. The District Malaria Officer,  
Nagar Road, Beed, Dist. Beed. .. **RESPONDENTS**

**6) ORIGINAL APPLICATION NO. 183 OF 2022**

**WITH**

**MISCELLANEOUS APPLICATION NO. 443 OF 2023**

**DISTRICT:- BEED**

1. Ashok S/o Mahadev Jaybhaye,  
Age 26 years, Occu. Nil,  
R/o Jaybhayewadi, Tq. Jamkhed,  
Dist. Ahmednagar.  
Mob. No. 7388851432
2. Aditya S/o Ashok Satpute,  
Age 24 years, Occu. Nil,  
R/o Tuljai Nagar, Balepeer,  
Beed, Dist. Beed.  
Mob. No. 8788428546
3. Dhanjay S/o Jivan Sanap  
Age 23 years, Occu. Nil,  
R/o Dnayaneshwar Nagar, Beed.  
Mob. No. 9422999892

**...APPLICANTS**

**AND**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10<sup>th</sup> floor, G.T. Hospital Complex,  
Mantralaya, Mumbai 400 032
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.

- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The Assistant Director,  
Health Services, (Malaria), Pune-6.
- 6) The District Malaria Officer,  
Pune, Dist. Pune.
- 7) The District Malaria Officer,  
Beed, Dist. Beed.

**..RESPONDENTS**

**7) ORIGINAL APPLIATION NO. 907 OF 2022  
DISTRICT : BEED**

1. Ajay S/o Sharad Rathod,  
Age 23 years, Occu. Nil,  
R/o Waghoda Tanda,  
Post Vaidya Wadgaon,  
District Jalna.
2. Murlidhar S/o Dattatray Sangle,  
Age 42 years, Occu. Nil,  
R/o Dahiwandi, Post Warni,  
Tq. Shirur Kasar, Dist. Beed.
3. Nitin S/o Bansi Naikwade,  
Age 27 years, Occu. Nil,  
R/o Swarj Nagar, Barshi Road,  
Beed.
4. Adinath S/o Chaburao Khedkar,  
Age 39 years, Occu. Nil,  
R/o Tintarwani, Tq. Shirur Kasar,  
District Beed.

5. Satish S/o. Rajaram Sangle,  
Age 38 years, Occu. Nil,  
R/o Bhagwan Nagar, Georai,  
Tq. Georai, District Beed.
6. Akshay S/o Babasaheb Sanap,  
Age 24 years, Occu. Nil,  
R/o Wadzari, Tq. Patoda,  
Dist. Beed.
7. Pradip S/o. Sampat Sanap,  
Age 36 years, Occu. Nil,  
R/o Wadzari, Tq. Patoda,  
Dist. Beed.
8. Sandip S/o Devrao Jaybhaye,  
Age 36 years, Occu. Nil,  
R/o Pimpalner, Tq. Shirur Kasar,  
District Beed.

.. APPLICANTS.

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10<sup>th</sup> floor, G.T. Hospital Complex,  
Mantralaya, Mumbai 400 032
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The District Malaria Officer,  
Nashik, Class-4 Building,  
Shalimar Chowk, Nashik.

- 6) The District Malaria Officer,  
Beed, Dist. Beed.

**..RESPONDENTS**

**8) ORIGINAL APPLICATION NO. 908 OF 2022**

**DISTRICT : BEED.**

1. Chandrakant S/o Kisan Sanap,  
Age : 42 years, Occu. Nil,  
R/o Wadzari, Tq. Patoda,  
District Beed.
2. Vaibhav S/o Bapu Yamgar,  
Age : 28 years, Occu. Nil,  
R/o at Post Kharwandi, Kasar,  
Tq. Pathardi, Dist. Ahmednagar.
3. Somnath S/o Jagannath Kavchat,  
Age : 28 years, Occu. Nil,  
R/o Kesapuri-Parbhani,  
Tq. & Dist. Beed.
4. Santosh S/o. Bhagwanrao Gholve,  
Age : 30 years, Occu. Nil,  
R/o Pimpalgaon, Post Wida,  
Tq. Kaij, District Beed.
5. Harishchandra S/o Rambhau Veer,  
Age : 30 years, Occu. Nil,  
R/o B & C Colony Narsuba Nagar,  
Beed, Tq. & Dist. Beed.
6. Sachin S/o Sakharam Sonwane,  
Age : 24 years, Occu. Nil,  
R/o Therla, Tq. Patoda,  
District Beed.
7. Vijaymukar S/o Ankush Jaybhaye,  
Age : 33 years, Occu. Nil,  
R/o Kakadihira, Tq. Patoda,  
District Beed.

8. Sukhdev S/o Sopanrao Sanap,  
Age : 40 years, Occu. Nil,  
R/o Savargaon Ghat, Tq. Patoda,  
District Beed.
9. Ashvamedh S/o Madanrao Shelke,  
Age : 27 years, Occu. Nil,  
R/o Takalgaon, Tq. Georai,  
District Beed.
10. Vishnu S/o. Mahadev Saruk,  
Age : 41 years, Occu. Nil,  
R/o Jolha, Post Devgaon,  
Ta. Kaij, District Beed.
11. Vishal S/o Sundarrao Pawar,  
Age : 27 years, Occu. Nil,  
R/o Bhota, Naiktanda,  
Post Kupa, Tq. Wadwani,  
District Beed.

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10<sup>th</sup> floor, G.T. Hospital Complex,  
Mantralaya, Mumbai 400 032
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The District Malaria Officer,  
Thane, Premises of Collector Office,  
Thane (West), Thane-400601.

- 6) The District Malaria Officer,  
Beed, Dist. Beed.

**..RESPONDENTS**

**9) ORIGINAL APPLICATION NO. 909 OF 2022**

DISTRICT : BEED

1. Rahul S/o Yadav Pawal,  
Age 31 years, Occu. Nil,  
R/o Chumbali, Tq. Patoda,  
District Beed.
2. Ganesh S/o Eknath Sul,  
Age 28 years, Occu. Nil,  
R/o Midsavangi,  
Tq. Pathardi, Dist. Ahmednagar
3. Vitthal S/o Gorakshnath Khedkar,  
Age 31 years, Occu. Nil,  
R/o Wadachiwadi, Post Tintarwani,  
Tq. Shirur Kasar, Dist. Beed
4. Babu S/o Ramkrishna Misal,  
Age 29 years, Occu. Nil,  
R/o Khokarmoha, Tq. Shirur Kasar,  
District Beed
5. Manoj S/o Dnyaneshwar Sanap,  
Age 27 years, Occu. Nil,  
R/o Hanumanwadi- Wadzari, Tq. Patoda,  
District Beed.
6. Sadashiv S/o Ganeshrao Maske,  
Age 31 years, Occu. Nil,  
R/o Parada, Post Basamba,  
Tq. & Dist. Hingoli,

**...APPLICANTS**

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
Mantralaya, 10<sup>th</sup> Floor, G.T. Hospital,  
Complex, Mumbai. 400032.

- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The District Malaria Officer,  
Bhandara, Old Hospital Premises,  
Near Hanuman Temple Bhandra.
- 6) The District Malaria Officer,  
Beed, Dist. Beed.

**..RESPONDENTS****10) ORIGINAL APPLICATION NO. 910 OF 2022****DISTRICT: - BEED.**

1. Pankaj S/o Ramesh Rathod,  
Age 26 years, Occu. Nil,  
R/o Deulgaon, Mahi, Tq. Deulgaon,  
District Buldhana.
2. Sachin S/o Laxman Rathod,  
Age 28 years, Occu. Nil,  
R/o Nashirabad, Tq. & Dist. Buldhana.
3. Kishor S/o Shahurao Sanap,  
Age 28 years, Occu. Nil,  
R/o Wadzari, Tq. Patoda, Dist. Beed.
4. Shivaji S/o Ravsaheb Khatal,  
Age 36 years, Occu. Nil,  
R/o Wadzari, Tq. Patoda,  
District Beed.
5. Pravin S/o Ravan Pawar,  
Age 24 years, Occu. Nil,  
R/o Barabhai Tanda, Post Kuppa  
Tq, Wadwani, District Beed.

**...APPLICANTS**

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
Mantralaya, 10 th Floor, G.T. Hospital,  
Complex, Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne decease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The District Malaria Officer,  
Nagpur, Matakacheri, Parisar  
Shradhanand Peth, near Diksha Bhumi  
Nagpur, Dist. Nagpur-440022.
- 6) The District Malaria Officer,  
Beed, Dist. Beed.

**..RESPONDENTS**

**11) ORIGINAL APPLICATION NO. 911 OF 2022**  
**DISTRICT: - BEED.**

1. Dipak S/o Dinkar Sanap,  
Age 23 years, Occu. Nil,  
R/o Hanumanwadi, Post Domari,  
Tq. Patoda, District Beed.
2. Pradip S/o Madhukar Khade,  
Age 24 years, Occu. Nil,  
R/o Karanjwan, Post Therla,  
Tq. Patoda, Dist. Beed.

**...APPLICANTS****V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
Mantralaya, 10 th Floor, G.T. Hospital,  
Complex, Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The District Malaria Officer,  
Kolhapur, Juna Rajwada,  
In the building of Police Station  
Bhawani Mandap Kolhapur,  
Dist. Kolhapur-416012.
- 6) The District Malaria Officer,  
Beed, Dist. Beed.

**..RESPONDENTS**

**12) ORIGINAL APPLICATION NO. 912 OF 2022**

**DISTRICT : BEED.**

Yuvraj S/o Navnath Rakh,  
Age 32 years, Occu. Nil,  
R/o Therla, Tq. Patoda, Dist. Beed.

**.....APPLICANT.**

**VERSUS**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
Mantralaya, 10 th Floor, G.T. Hospital,  
Complex, Mumbai. 400032.

- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The District Malaria Officer,  
Bhandara, Dist. Bhandara.
- 6) The District Malaria Officer,  
Nagar Road Beed, Dist. Beed.

**.. RESPONDENTS.**

**13) ORIGINAL APPLICATION NO. 1101 OF 2022**

**DISTRICT : BEED.**

1. Dipak S/o Sudhakar Sanap,  
Age 24 years, Occu. Nil,  
R/o Khadakwadi, Tq. Patoda,  
District Beed.
2. Maroti S/o Namdev Rupnar,  
Age 26 years, Occu. Nil,  
R/o Ardapimpri, Tq. Georai,  
District Beed.

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
Mantralaya, 10 th Floor, G.T. Hospital,  
Complex, Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.

- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne decease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The District Malaria Officer,  
Near Police Hospital, Tukum,  
Chandrapur 442402.
- 6) The District Malaria Officer,  
Beed, Dist. Beed.

**..RESPONDENTS****14) ORIGINAL APPLICATION NO. 1103 OF 2022****DISTRICT : BEED.**

1. Satish S/o Bapurao Bhavar,  
Age 34 years, Occu. Nil,  
R/o Bhavarwadi, Post Midsangavi,  
Tq. Pathardi, Dist. Ahmednagar.
2. Pravin S/o Gangahdar Mirgewad,  
Age 33 years, Occu. Nil,  
R/o Ganesh Chowk Himayat Nagar,  
Nanded, Dist. Nanded.
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3. Vilas S/o Bhanudasrao Dongare,  
Age 43 years, Occu. Nil,  
R/o Hingni Bk. Tq. Dharur,  
District Beed.

**.. APPLICANTS.****-**  
**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
Mantralaya, 10 th Floor, G.T. Hospital,  
Complex, Mumbai. 400032.

- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne decease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The District Malaria Officer,  
Pandharpur Ujni Vasahat,  
Front Datta Temple Pandharpur,  
Solapur, Dist. Solapur.
- 6) The District Malaria Officer,  
Beed, Dist. Beed.

**....RESPONDENTS.**

**15) ORIGINAL APPLICATION NO. 1104 OF 2022**

**DISTRICT : BEED.**

1. Vishwanath S/o Balu Nagargoje,  
Age 24 years, Occu. Nil,  
R/o Chumbali, Tq. Patoda,  
District Beed.
2. Krishna S/o Baban Sanap,  
Age 29 years, Occu. Nil,  
R/o Wadzari, Tq. Patoda,  
District Beed.
3. Pravin S/o Shantilal Sadgar,  
Age 30 years, Occu. Nil,  
R/o Harkarwadi, Tq. Shirur Kasar,  
District Beed.
4. Rahul S/o Bhaurao Napte,  
Age 29 years, Occu. Nil,  
R/o Near Sarnath Boddha Vihar  
Trimurty Nagar, Bhamtee  
Pin Code 440 022.

5. Nagorao S/o Yadavrao Wadkute,  
Age 29 years, Occu. Nil,  
R/o Babhulgaon, Tq. Sengaon,  
District Hingoli.

**....APPLICANTS.**

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital,  
Complex Mantralaya,  
Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The District Malaria Officer,  
Vardha, Old Zilla Parishad Building,  
First Floor, Beside Government Building,  
Vardha-442 001.
- 6) The District Malaria Officer,  
Beed, Dist. Beed.

**....RESPONDENTS.**

**16) ORIGINAL APPLICATION NO. 1105 OF 2022  
DISTRICT : BEED.**

1. Sanjaykumar S/o Vishnu Sanap,  
Age 35 years, Occu. Nil,  
R/o Wadzari, Tq. Patoda,  
District Beed.

2. Rameshwar S/o Vishnu Algude,  
Age 31 years, Occu. Nil,  
R/o Dimakwadi, Tq. Georai,  
District Beed.
3. Sandipan S/o Sadashiv Rakh,  
Age 31 years, Occu. Nil,  
R/o Therla, Tq. Patoda,  
District Beed.
4. Asaram S/o Sriram Shinde,  
Age 26 years, Occu. Nil,  
R/o Beed, District Beed.
5. Satish S/o Mahadev Wanve,  
Age 32 years, Occu. Nil,  
R/o Rohatwadi, Tq. Patoda,  
District Beed.
6. Udhav S/o Laxman Khandare,  
Age 32 years, Occu. Nil,  
R/o Aherwadi, Tq. Purna,  
District Parbhani.

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital  
Complex Mantralaya,  
Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.

- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The District Malaria Officer,  
In front of City Police Station,  
Yawatmal-445001.
- 6) The District Malaria Officer,  
Beed, Dist. Beed.

**....RESPONDENTS.**

**17) ORIGINAL APPLICATION NO. 986 OF 2022**

**DISTRICT : BEED.**

Avinash S/o Ashok Rakh,  
Age 27 years, Occu. Nil,  
R/o Therla, Tq. Patoda, Dist. Beed.  
Mob. No. 8484871574 ...APPLICANT

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital  
Complex, Mantralaya,  
Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The District Malaria Officer,  
Old Civil Hospital, Chitale Road,  
Ahmednagar, Dist. Ahmednagar-414-001.

- 6) The District Malaria Officer,  
Nagar Road Beed, Dist. Beed.

**..RESPONDENTS**

**18) ORIGINAL APPLICATION NO. 998 OF 2022**

**DISTRICT : BEED.**

1. Hanuman S/o Ashruba Baglane,  
Age 29 years, Occu. Nil,  
R/o Kakadhira Post Palwan-431 505  
Tq. & Dist. Beed.
2. Nagorao S/o Namdev Burkule,  
Age 41 years, Occu. Nil,  
R/o B and C Quarter Q no. C 30  
Vidya Nagar Corner-431 401  
Tq. & Dist. Beed.
3. Amol S/o Bhausahab Borkhede,  
Age 35 years, Occu. Nil,  
R/o Shriram Nagar, Nagar Road,  
Beed, District Beed.
4. Narayan S/o Ankush Nagargoje,  
Age 27 years, Occu. Nil,  
R/o Yawalwadi, Post Patoda,  
District Beed.

**....APPLICANTS.**

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital  
Complex, Mantralaya,  
Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.

- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The District Malaria Officer,  
Parbhani, Rachna Nagar,  
Koregaon Road, Parbhani.
- 6) The District Malaria Officer,  
Beed, Dist. Beed.

**.....RESPONDENTS**

**19) ORIGINAL APPLICATION NO. 1054 OF 2022**

**DISTRICT : BEED.**

1. Yogesh S/o Ashruba Bangar,  
Age 26 years, Occu. Nil,  
R/o Near Shivaji Vidhyalaya  
Pingale Nagar, Beed, District Beed.
2. Santsoh S/o Shrirang Sanap,  
Age 34 years, Occu. Nil,  
R/o Wadzari, Tq. Patoda,  
District Beed.

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital,  
Complex, Mantralaya,  
Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.

- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The District Malaria Officer,  
Anand Nagar, Nanded-431605
- 6) The District Malaria Officer,  
Beed, Dist. Beed.

**....RESPONDENTS**

**20) ORIGINAL APPLICATION NO. 1076 OF 2022**

**DISTRICT : BEED.**

1. Dnyaneshwar S/o Vishnu Parjane,  
Age 27 years, Occu. Nil,  
R/o Khalapuri, Tq. Shirur (Kasar),  
District Beed.
2. Gahininath S/o Shahadeo Sanap,  
Age 39 years, Occu. Nil,  
R/o Wadzari, Post Domari,  
Tq. Patoda, District Beed.
3. Pandurang S/o Bhujang Sanap,  
Age 21 years, Occu. Nil,  
R/o Hanumanwadi, Wadzari,  
Post Domari, Tq. Patoda, District Beed
4. Amol S/o Hanumant Bhosale,  
Age 29 years, Occu. Nil,  
R/o Naigaon Pin Code-414205
5. Kishor S/o Diliprao Keskar,  
Age 29 years, Occu. Nil,  
R/o Sirasmarg, Tq. Georai,  
District Beed,
6. Dipak S/o Manik Sanap,  
Age 27 years, Nil,  
R/o Wadzari, Tq. Patoda,  
District Beed.

**...APPLICANTS**

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital,  
Complex, Mantralaya,  
Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The District Malaria Officer,  
Ratnagiri, Kashikrupa Kulkarni Compound  
Near B.S.N.L. Office, Jail Road,  
Ratnagiri-415612.
- 6) The District Malaria Officer,  
Beed, Dist. Beed.

**.....RESPONDENTS**

**21) ORIGINAL APPLICATION NO. 167 OF 2023  
DISTRICT : BEED.**

Kailas S/o Bhujangrao Shinde,  
Age 32 years, Occu. Nil,  
R/o Sukali (B), Post Sapatgaon,  
Tq. Shengaon, Dist. Hingoli,  
Mob. No. 9595022348

**...APPLICANT****V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital,  
Complex, Mantralaya,  
Mumbai. 400032.

- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The District Malaria Officer,  
Bhandara, Old Hospital, Premises,  
Near Hanuman Temple Bhandara.
- 6) The District Malaria Officer,  
Nagar Road Beed, Dist. Beed.

**....RESPONDENTS**

**22) ORIGINAL APPLICATION NO. 985 OF 2022**

**DISTRICT : BEED.**

Vitthal S/o Haribhau Wanve,  
Age 39 years, Occu. Nil,  
R/o Naigaon, Tq Patoda, District Beed.  
Mob. No. 942127268

**....APPLICANT**

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital,  
Complex, Mantralaya,  
Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.

- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The District Malaria Officer,  
Gondiya, Dist. Gondiya.
- 6) The District Malaria Officer,  
Nagar Road Beed, Dist. Beed.

**....RESPONDENTS**

**23) ORIGINAL APPLICATION NO. 1077 OF 2022  
DISTRICT : BEED.**

1. Ganesh S/o Dilip Nagargoje,  
Age 27 years, Occu. Nil,  
R/o Dhondrai, Tq. Georai,  
District Beed.

2. Nandkishor S/o Babasaheb Gitte,  
Age 27 years, Occu. Nil,  
R/o Nandagaul,-431 519

3. Sunil S/o Kisan Shinde,  
Age 26 years, Occu. Nil,  
R/o Goksavangi, Post. Medshi,  
Tq. Malegaon, Dist. Washim,

**...APPLICANTS**

**V E R S U S**

1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital,  
Complex, Mantralaya,  
Mumbai. 400032.

2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.

3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.

4) The Assistant Director,  
Health Services, (Malaria), Latur.

5) The District Malaria Officer,  
Behind Bas Stand, Muthe Layout,  
Buldhana.

6) The District Malaria Officer,  
Beed, Dist. Beed.

**.....RESPONDENTS**

**24) ORIGINAL APPLICATION NO. 1078 OF 2022**

**DISTRICT : BEED.**

1. Vikas S/o Narayan Khedkar,  
Age 25 years, Occu. Nil,  
R/o Tintarwani, Tq. Shirur Kasar,  
District Beed.
2. Ajay S/o Rajendra Hapte,  
Age 23 years, Occu. Nil,  
R/o Shekta, Tq. Georai,  
District Beed.
3. Ramesh S/o Mahadev Sanap,  
Age 24 years, Occu. Nil,  
R/o Hanumanwadi, Wadzari,  
Post Domari, Tq. Patoda, District Beed.

**.....APPLICANTS**

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital,  
Complex, Mantralaya,  
Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.

- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The District Malaria Officer,  
Mandore, Market, Near Dr. Babasaheb  
Market Jalgaon-425001
- 6) The District Malaria Officer,  
Beed, Dist. Beed.

**.....RESPONDENTS****25) ORIGINAL APPLICATION NO. 63 OF 2023****DISTRICT : BEED.**

Sanjay S/o Gulabrao Mahske,  
Age 38 years, Occu. Nil,  
R/o Near Shani Mandir,  
Mukundwati, Aurangabad.

**...APPLICANT****V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital,  
Complex, Mantralaya,  
Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria),  
Barshi Road, Latur.

5) The District Malaria Officer,  
Sanjay Nagar, Old Jalana- 431213,

6) The District Malaria Officer,  
Nagar Road Beed, Dist. Beed.

....**RESPONDENTS**

**26) ORIGINAL APPLICATION NO. 707 OF 2022**

**DISTRICT : BEED.**

Jay S/o Babruvahan Chavan,  
Age : 35 years, Occu. Nil,  
R/o Morewadi, Near Yashwantrao  
Chowk, Ambajogai, District Beed.

.... **APPLICANT.**

**V E R S U S**

1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital,  
Complex, Mantralaya,  
Mumbai. 400032.

2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.

3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.

4) The Assistant Director,  
Health Services, (Malaria),  
Latur.

5) The District Malaria Officer,  
Nagar Road Beed, Dist. Beed.

....**RESPONDENTS**

**27) ORIGINAL APPLICATION NO. 658 OF 2021**

**DISTRICT : BEED.**

Sayyed Thofik Harun,  
Age 31 years, Occu. Nil,  
R/o Swati Building no.101,  
Telecom Complex, DP Road,  
Adarsh Nagar, Beed.

...**APPLICANT**

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital,  
Complex, Mantralaya,  
Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building, Maharashtra State,  
Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease),  
Near Vishrantwadi Police Station,  
Yerwada, Pune, Tq. & Dist. Pune.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The Assistant Director,  
Health Services, (Malaria), Nagpur.
- 6) The District Malaria Officer,  
Near Palrace Hospital,  
Chandrapur, Dist. Chandrapur.
- 7) The District Malaria Officer,  
Vaidya BHuilding, In front of  
Tahsil Office, Beed, Dist. Beed.

**.....RESPONDENTS****28) ORIGINAL APPLICATION NO. 660 OF 2021****DISTRICT : BEED.**

Vaibhav S/o Sunil Gaikwad,  
Age 23 years, Occu. Nil,  
R/o Pandharinagari, Danora Road,  
Janvi Niwas, Tq. &; Dist. Beed.

**.....APPLICANT**

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital,  
Complex, Mantralaya,  
Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease),  
Near Vishrantwadi Police Station,  
Yerwada, Pune, Tq. & Dist. Pune.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The Assistant Director,  
Health Services, (Malaria), Kolhapur.
- 6) The District Malaria Officer,  
Sangli, Dist. Sangli.
- 7) The District Malaria Officer,  
Beed, Dist. Beed.

**....RESPONDENTS**

**29) ORIGINAL APPLICATION NO. 182 OF 2022**  
**DISTRICT : BEED.**

1. Laxman S/o Manik Misal,  
Age 28 years, Occu. Nil,  
R/o Chinchpur Ijde, Tq. Pathardi,  
Dist. Ahmednagar.
2. Sadanand S/o Vishvanath More,  
Age 31 years, Occu. Nil,  
R/o Akhni, Tq. Mantha,  
Dist. Jalna.

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital  
Complex, Mantralaya,  
Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease),  
Near Vishrantwadi Police Station,  
Yerwada, Pune, Tq. & Dist. Pune.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The Assistant Director,  
Health Services, (Malaria),  
Nashik.
- 6) The District Malaria Officer,  
Ahmednagar, Dist. Ahmednagar.
- 7) The District Malaria Officer,  
Beed, Dist. Beed.

**.....RESPONDENTS****30) ORIGINAL APPLICATION NO. 184 OF 2022****DISTRICT : BEED.**

1. Nagesh S/o Narayan Kharat,  
Age 30 years, Occu. Nil,  
R/o Bhadarpur, Tq. Kandhar,  
District Nanded.

2. Pravin S/o Ramprasad Waghmare,  
Age 30 years, Occu. Nil,  
R/o Balbhim Nagar, Peth Beed,  
Tq. & Dist. Beed.

**.....APPLICANTS**

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital  
Complex, Mantralaya,  
Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The Assistant Director,  
Health Services, (Malaria),  
Kolhapur.
- 6) The District Malaria Officer,  
Sangali, Dist. Sangali.
- 7) The District Malaria Officer,  
Beed, Dist. Beed.

**.....RESPONDENTS**

**31) ORIGINAL APPLICATION NO. 187 OF 2022  
DISTRICT : BEED.**

1. Sujyot S/o Sunil Bhandari,  
Age 27 years, Occu. Nil,  
R/o Shirur Kasar, Tq. Shirur Kasar,  
Dist. Beed.

2. Akshay S/o Eknath Salave,  
Age 25 years, Occu. Nil,  
R/o Kamkheda, Tq. & Dist. Beed. ....**APPLICANTS**

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital  
Complex, Mantralaya,  
Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The Assistant Director,  
Health Services, (Malaria),  
Aurangabad.
- 6) The District Malaria Officer,  
Aurangabad, Dist. Aurangabad.
- 7) The District Malaria Officer,  
Beed, Dist. Beed. ....**RESPONDENTS**

**32) ORIGINAL APPLICATION NO. 391 OF 2022**

**DISTRICT : BEED.**

Akash S/o Gorakh Garje,  
Age 25 years, Occu. Nil,  
R/o Kamla Nehru Nagar, Adarsh Nagar,  
Near RK Building Ulhasnagar, Dist. Thane,

**....APPLICANT**

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital  
Complex, Mantralaya,  
Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The Assistant Director,  
Health Services, (Malaria), Pune-6.
- 6) The District Malaria Officer,  
Satara, Dist. Satara.
- 7) The District Malaria Officer,  
Beed, Dist. Beed.

**.....RESPONDENTS**

**33) ORIGINAL APPLICATION NO. 428 OF 2022  
DISTRICT : BEED.**

1. Ravi S/o Namdeo Khade,  
Age 25 years, Occu. Nil,  
R/o Sant Dnayeshwar Nagar, Beed.
2. Chandrakant S/o Kerba Mane,  
Age 42 years, Occu. Nil,  
R/o Wadzari, Tq. Patoda,  
Dist. Beed.
3. Dinkar S/o Uttam Khatal,  
Age 32 years, Occu. Nil,  
R/o as above

**.....APPLICANTS**

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
10 th Floor, G.T. Hospital  
Complex, Mantralaya,  
Mumbai. 400032.
- 2) The Director, Health Department,  
Central Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne disease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The Assistant Director,  
Health Services, (Malaria), Kolhapur.
- 6) The District Malaria Officer,  
Sindhudurg, Dist. Sindhudurg.
- 7) The District Malaria Officer,  
Beed, Dist. Beed.

**.....RESPONDENTS****34) ORIGINAL APPLICATION NO. 429 OF 2022****DISTRICT : BEED.**

1. Ramesh S/o Shrimantrao Ghubade,  
Age; 34 years, Occu. Nil,  
R/o Row House No.11,  
Radhakrushna Nagari, Pangari Road,  
Beed, Tq. & Dist. Beed.
2. Sandip S/o Subhash Kulthe,  
Age 36 years, Occu. Nil,  
R/o Dyaneshwar Nagar,  
Beed, Dist. Beed.

3. Vishal S/o Dinkar Sanap,  
Age 26 years, Occu. Nil,  
R/o Behind Government ITI Collage,  
Dnyaneshwar Nagar, Beed.

....**APPLICANTS**

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Public Health Department,  
Mantralaya, 10 th Floor, G.T. Hospital,  
Complex, Mumbai. 400032.
- 2) The Director, Health Department,  
Center Building, Agarkar Nagar,  
Maharashtra State, Pune-1.
- 3) The Joint Director,  
Health Services, (Malaria, Falaria  
and Waterborne decease), Pune-6.
- 4) The Assistant Director,  
Health Services, (Malaria), Latur.
- 5) The District Malaria Officer,  
Beed, Dist. Beed.

....**RESPONDENTS**

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APPEARANCE :- Shri M.S.. Karad, learned counsel for the  
applicants in all these matters.

: Shri V.R. Bhumkar, learned Presenting  
Officer for the respondent authorities in  
all these matters.

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**CORAM** : **Hon'ble Shri Justice P.R. Bora,**  
**Vice Chairman**  
**and**  
**Hon'ble Shri Vinay Kargaonkar,**  
**Member (A)**

**RESERVED ON** : **23.02.2024**  
**PRONOUNCED ON** : **21.03.2024**

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**ORDER**

*[Per :- Justice P.R. Bora, V.C.]*

1. Heard Shri M.S. Karad, learned counsel for the applicants in all these matters and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities in all these matters.
2. In view of the fact that in all these matters the facts and prayers made are identical, we have heard all these matters together and deem it appropriate to decide these matters by this common order.
3. The public health department of the State had resolved to fill in the vacant posts of Multipurpose Health Workers (Male) (50%) for every districts of the State. Therefore, directions were issued to the District Malaria Officers of all the districts to issue advertisements to fill in the vacant posts in their respective districts. Accordingly, the District Malaria Officers of the respective districts wherein vacant posts were available issued the advertisement inviting applications from the eligible candidates to be appointed on the post of Multipurpose Health Workers (Male) (50%). The present applicants accordingly had applied for the said post in

respective Districts. The aspiring candidates were required to undergo a written test and the candidates, who scored 45% and above marks were named as eligible candidates. The eligible candidates were interviewed by the Committee and the candidates, who were in order of merit were called upon to submit the eligibility documents in original for verification. Since all these candidates were claiming the advertised posts from the quota of seasonal spray workers, all of them were under an obligation to submit the experience certificates in the prescribed format evidencing that they have worked for more than 90 days' as Seasonal Spray workers. It is the case of these applicants that they succeeded in the written examination as well as further selection process and were required to submit their documents for verification at the respective District Health Offices of Malaria where they were appointed.

4. On 10.08.2021 the Assistant Director of Health Services (Malaria), Pune issued a letter to all the Assistant Directors Health Services (Malaria) laying down certain guidelines for verification of the experience certificates issued in favour of the Seasonal Spray Workers. At the stage of documents verification, some complaints were received to the effect that the experience certificates issued by the then District

Malaria Officer, Beed are bogus and false. One written complaint was also received in that regard from Advocate Bhausahab Latpate. The respondent No. 2, therefore, constituted a committee to conduct an enquiry in respect of the experience certificates issued in favour of the respective applicants. The said committee conducted the enquiry and held the 'experience certificates' of the present applicants invalid. The committee named 69 candidates having produced the false experience certificates. Thereafter all the District Malaria Offices were directed not to give effect to the appointment of the candidates whose names are included in the list of 69 for having produced the false experience certificates. Aggrieved by the said order the applicants have approached this Tribunal praying for quashment of the said communication by holding the experience certificates submitted by the present applicants valid. Consequent directions are also sought against the respondents to appoint the applicants in respective districts where their names have been recommended.

5. It is the contention of the applicants that the experience certificates produced by them are genuine and they have actually worked as Seasonal Spray Workers during the period as stated in their certificates. The applicants have placed

on record the copies of their attendance sheets as well as the payment sheets in order to buttress their contention that the experience certificate submitted by them are genuine one.

6. Respondent Nos. 1 to 7 have filed their joint affidavit in reply to resist the contentions raised by the applicants in their OAs and the prayers made therein. The Chief Administrative Officer in the office of Deputy Director of Health Services, Latur Circle, Latur namely Dnyandeo Vasantrao Karwar has sworn the said reply. The respondents have denied the very fact asserted by the applicants that they have worked for more than 90 days as Seasonal Spray Workers. It is the contention of these respondents that the seniority list as on 01.01.2015 of the Health Workers did not contain names of these applicants. It is further contended that the committee constituted as per the directions issued by the Joint Director of Health Services, Pune when ascertained the information as about sanctioned mandays for District Beed, it was noticed that appointments were given to these applicants without sanctioned mandays. It is further alleged that there is no entry about the experience certificates issued in favour of these applicants by the respective offices. It is further contended that appointment orders of these applicants are not on record. It is further

contended that the names of the applicants are not existing in the seniority lists of the year 2014 as well as 2015. It is further contended that based upon the report of 03 Members committee the Joint Director of Health Services, Pune who in turn issued the necessary directions to the Malaria Offices at the respective districts.

7. Shri M.S. Karad, learned counsel appearing for the applicants submitted that the applicants have placed on record sufficient evidence to prove their eligibility. Learned counsel pointed out that not only available attendance sheets but the particulars as about the payment received and the number of Treasury bills are provided by these applicants. Learned counsel submitted that seniority list has also been placed on record by the applicants. Learned counsel pointed out that the extracts of the inward and outward registers are also produced on record by the applicants. Learned counsel submitted that the applicants have placed on record overwhelming evidence showing that they do possess the experience of working for more than 90 days as Seasonal Spray Worker. Learned counsel submitted that the respondents though have lodged the FIR against the applicants naming them as accused persons, during the entire investigation no incriminating material is received to

the investigating officer. Learned counsel further submitted that the investigating officer has candidly recorded that the allegations made against the applicants in the complaint received against them are absolutely false. Learned counsel further submitted that the investigating officer has submitted 'C' summary report before learned Magistrate. Learned counsel submitted that in view of the clean chit given by the investigating officer there has remained no impediment for issuance of appointment orders in favour of the applicants. Learned counsel in the circumstances prayed for setting aside the impugned orders and for issuance of directions against the respondents for extending all the consequential benefits.

8. Learned Presenting Officer appearing for the State authorities submitted that in the enquiry conducted by 03 Members committee it is revealed that the certificates produced by these applicants were not in the prescribed format and were lacking all the necessary particulars. Learned P.O. submitted that though the investigating officer submitted 'C' summary report, the Hon'ble Court has not accepted the said report. He further submitted that the documents on record sufficiently prove that the applicants have attempted to prepare and file false experience certificates. Learned P.O. submitted that valid

experience certificate was of utmost importance for appointments of the applicants and since the applicants have failed in proving their experience certificates to be valid, none of them is entitled for appointment. Learned P.O. further submitted that now another recruitment process is also on the verge of its completion and in such circumstances he prayed for dismissal of these applications.

9. We have duly considered the submissions made on behalf of the applicants as well as the respondents. It is not in dispute that the applicants have successfully passed the written examination and the interview and have secured place in the list of eligible candidates to be recommended against the respective vacancies in the respective districts. As is revealing from the documents on record and the pleadings of the parties, at the time of document verification, which is practically the final stage before issuance of the order of appointment, the complaint was received to respondent No. 1 alleging malpractices in issuance of the experience certificates produced by the applicants. On such complaint the respondents had constituted a three member committee.

10. As contended by the respondents, the said committee in its report recommended the Government not to

consider these applicants/candidates for their appointment to the subject posts. Respondents have however, not placed on record the report submitted by the said committee. Though the report of 03 Members Committee is not filed on record, which we reiterate that must have been filed on record, in the letter dated 03.10.2022 written by the Under Secretary of the State to the Commissioner of Health Services, the conclusions recorded by the said committee are reproduced. Those are as under:-

- (i) that 69 experience certificates given by the District Malaria Officer, Beed during the period between 2016 and 2020 are not in accordance with the letter dated 22.10.2010 issued by the Joint Director of Health Services ((Malaria, Falaria and Waterborne disease), more particularly in consonance with the guidelines given for seasonal spray staff.
- (ii) that the names of the present applicants since were not existing in the seniority list of 2014 and 2015 the applicants were not eligible for to be given work but in spite of that the experience certificates are issued.
- (iii) the appointment orders of the seasonal spray workers are not find on record.
- (iv) there is no noting or entry of the experience certificates issued in favour of the seasonal workers in the outward register.

(v) there is no record i.e. duly attested original musters of the period in which the seasonal workers claimed to have worked.

(vi) there is no report of the work performed by the seasonal workers namely drug spray survey.

(vii) no office copies of the bills submitted to the Treasury in respect of the wages paid to the seasonal workers.

(viii) it is noticed that no individual bills are drawn but the consolidated pay bills are submitted to the Treasury.

(ix) there is no record whether the wages of the seasonal employees were paid in cash or deposited in their respective bank accounts.

(x) non-compliance is noticed on part of the seasonal employees in submitting the relevant documents.

(xi) all 69 experience certificates are found to be bogus.

(xii) the following officers are responsible for issuing false experience certificate to the seasonal employees:-

- (1) Dr. K.S. Andhale
- (2) Shri Jivan Baburao Sanap
- (3) Shri J.K. Satpute

11. One of the applicants namely Shri Sushilkumar Babasaheb Rakh has filed his rejoinder affidavit to the affidavit in reply filed on behalf of the respondents. In the rejoinder he

has denied all the objections and allegations made against the applicants and has placed on record several documents supporting the case of the applicants. The respondents also have filed thereafter one short affidavit and have placed on record certain documents.

12. We have carefully gone through the contents of the rejoinder affidavit submitted on behalf of the applicants and shot affidavit submitted by the respondents. We have also gone through the documents placed on record. The applicants have at the time of filing the O.As. have placed on record copies of the pay bills, muster roll, account roll, payroll, extract of bill register, token register and copy of seniority list. In the affidavit in reply filed on behalf of the respondents they have not denied or disputed any of these documents. Nothing is placed on record by the respondents to show that seasonal appointments given to the applicants were not given according to the seniority list maintained. The applicants have also placed on record the seniority list. It is not the case of the respondents that the seniority list placed on record by the applicants is bogus. Copies of the muster roll, pay bills, treasury bills have also not been denied or disputed by the respondents.

13. The documents filed by the applicants whether are genuine or forged could have been examined by the respondents. Treasury bills are produced on record by the applicants. Had the treasury bills falls or may not be pertaining to the wages paid to the applicants, the respondents would have certainly taken serious objection in that regard and could have proved falsity in the claim of the applicants. The respondents, however, have not raised any objection to the said documents. The respondents have not denied and disputed any of the said documents. When copies of the pay bills are placed on record by the applicants, it was not impossible for the respondents to verify the particulars from the original record and on this count it was quite possible for the respondents to expose the applicants and prove fallacy in their claims.

14. It is significant to note that in the 'C' summary report submitted by the investigating officer to the learned Magistrate, he has specifically submitted that during investigation the documents which were seized and the documents which were scrutinized by him leave no doubt that the applicants have worked in the relevant period and accordingly the experience certificates are issued in their favour. The Investigating Officer has made a candid statement that in

the seniority lists of the year 2017 the names of all these 69 candidates were noticed by him. It is further recorded by the Investigating Officer that on the wages sheets there are signatures of the candidates and they have admitted the payment received to them accordingly. The Investigating Officer has further candidly opined that on the basis of the facts revealed in the investigation conducted by him it is difficult to accept the allegation that the experience certificates produced by the applicants are bogus or concocted and the complaint seems to have been given because of some misunderstanding. For the above reasons the Investigating Officer has prayed for accepting 'C' summary report.

15. The applicants have also placed on record the copies of the statements recorded during the course of investigation by the Police Authority. The said statements are of the officers working in the respective malaria offices. 03 statements are there on record. One Shri Ram Kolapkar, who was at the relevant time working in Patoda region. According to the statement given by him the workers who have been named by him were working under his supervision when he was Health Supervisor. Said Kolapkar has produced before the Police the data in respect of working days of these applicants from the

record. The another statement is of Shri Shankar Kadam, who is still working in District Malaria Office at Beed as Health Supervisor. He has stated before the Police that when he was in Kaij region during 2015-16 the candidates whose names are mentioned in the list have worked under him. It is further stated by the said officer that the attendance registers which were shown to him bear his signature also.

16. In the affidavit in reply it is the contention of the respondents that the Health Supervisors working in Primary Health Centers have not certified the attendance register of the concerned Seasonal Workers i.e. the present applicants. We have referred to the statements recorded of 02 Health Supervisors, who have stated in their police statements that the applicants had worked in the respective offices as Seasonal Spray Workers and that the record was also maintained in that regard. The objections raised by the respondents in their affidavit in reply have been answered by the applicants by placing on record the relevant documents. In order to substantiate their contention that all of them had worked for more than 90 days', the applicants have placed on record plenty of evidence sufficient to accept their claim that they had actually worked for the required period as Seasonal Spray

Workers as prescribed in their experience certificates. As against it the respondents have utterly failed in establishing that the experience certificates of these applicants are bogus or forged. The applicants have when satisfactorily discharged the burden on them, to prima-facie prove their contention, the respondents have failed in substantiating their allegation that the experience certificates of these applicants are forged. The 'C' summary report submitted by the Investigating Officer in the matter of FIR registered against these applicants on allegation of procuring forge certificates cannot be kept out of consideration on the ground that the learned Magistrate has not yet accepted it. The aforesaid circumstance can be interpreted in favour of the applicants also holding that the learned Magistrate has not yet rejected the 'C' summary report. The entire thrust of the respondents is on the enquiry carried out by 03 Members' committee. However, as we have noted hereinabove, the respondents have not filed the report of the said committee on record.

17. Relying on the judgments of the Hon'ble Supreme Court in the case of **S.S. Balu & Anr. vs. State of Kerala & Ors., 2009 (2) SCC 479** and another in the case of **Pitta Naveen Kumar & Ors. vs. Raja Narasaiah Zangiti, 2006 (10) SCC 261**, it

has been argued by the learned C.P.O. that above all it is the prerogative of the employer State whether to appoint the persons like the applicants whose credentials are felt doubtful, though their names may be existing in the list of the selected/recommended candidates. There cannot be a dispute about the ratio laid down in both the aforesaid judgments. It is well settled that mere selection does not give any vested right to the selected candidates to be appointed. The same principle has been reiterated in the matter of **S.S. Balu** (cited supra) that there is no indefeasible right to the appointment and the Government is free to fill up or not to fill up the vacancies.

18. It has been pointed out by the learned counsel for the applicants that the Hon'ble Supreme court in the case of **S.S. Balu** (cited supra) has also observed that the discretion vested in the State, however, cannot be exercised by it arbitrarily. According to learned counsel for the applicants, the conduct of the respondents in the instant matter of not issuing appointments to the applicants, despite having included their names in the list of selected candidates, is the example of arbitrariness on part of the respondents.

19. In the instant matter, as has come on record it is undisputed that the applicants have successfully undergone the

selection process and their names were included in the list of selected candidates. It is also undisputed that the only reason for not considering the applicants for their appointments is that some complaints were received in regard to the experience certificate submitted by these applicants and that in the inquiry carried out by the respondents in that regard through 03 members committee, substance was found in the complaints so received. We have elaborately discussed hereinabove that it was quite possible for the State to substantiate the allegation as aforesaid by placing on record the necessary material. As observed by us, the respondents have utterly failed in discharging the burden on them. As against it, the applicants have produced on record sufficient documentary evidence.

20. It is true that merely because the name of the candidate finds place in the select list it would not give him indefeasible right to get the appointment as well. In the present matters however, core issue is that the respondents have declared the applicants ineligible for their appointments on the posts of Multipurpose Health Worker (Male) (50%) holding that they do not possess the experience certificates in the appropriate format or in accordance with the parameters laid down in that regard. We have elaborately discussed hereinabove as

about the failure on part of the respondents to substantiate their said contention, whereas the applicants have sufficiently proved the genuineness in their experience certificates. In the circumstances, the order passed by respondent No. 4 thereby declaring the applicants ineligible cannot be sustained and deserves to be set aside. Consequently, the respondents henceforth may not decline the candidature of the present applicants for their appointments on the post of Multipurpose Health Worker (Male) (50%) on the basis of their experience certificates.

21. As has been submitted by learned P.O. based on the averments in the affidavit in reply filed on behalf of the respondents, the recruitment process in pursuance of advertisement of 2019 has been concluded. However, as per the submissions made on behalf of the applicants some posts are still unfilled. It is also matter of record that subsequent recruitment process was commenced by respondents vide advertisement dated 15.03.2023. The respondents have filed pursis on record contending therein that the said recruitment process has also been successfully completed and the appointment orders are issued to the candidates who are in all respect held eligible for their appointments. In this regard also

according to the information of the applicants, all the posts have not yet been filled in and the vacancies are there in every district. The information about vacancies in the Beed district is placed on record by the applicants. The applicants have submitted the information received to them under Right to Information Act today to the effect that 21 posts are vacant in the Beed district of the Multipurpose Health Worker (Male) (50%). The document so received to the applicants under RTI is taken on record.

22. According to the learned counsel appearing for the applicants there are vacancies in all the districts in the State as similar to the district of Beed and in the circumstances according to him present applicants can very well be accommodated against the said vacant seats. As stated hereinabove, though it is a settled legal position that the name of the candidate may appear in the select list but he has no indefeasible right to get the appointment, it is also well settled that the respondents cannot deny to consider any such candidate for his appointment on unsustainable or unreasonable ground. If the appointment is to be denied to such candidate, such decision of the respondents must be based on some sound reasoning. If the vacancies are available

and when Government has declared its intention to fill up the said posts by issuing an advertisement even in the year 2023, the respondents are under an obligation to consider the present applicants for their appointments against the vacant seats having regard to the fact that in the recruitment of 2019 they have been deprived of such appointments on some unreasonable ground.

23. The respective applicants have filed respective M.A.NO.441/2023 IN O.A.NO.659/2021 M.A.NO.442/2023 IN O.A.NO.661/2021 M.A.NO.443/2023 IN O.A.NO.183/2022 M.A.NO.444/2023 IN O.A.NO.185/2022 M.A.NO.445/2023 IN O.A.NO.186/2022 with a prayer that the applicants be permitted to bring on record the subsequent developments occurred in respect of the subject matter during pendency of the OAs. As contended in the Misc. Applications during the pendency of the OAs the respondents had issued an another advertisement on 15.03.2023, thereby inviting applications for filling in vacant posts of Multipurpose Health Workers in the respective regions. The respondents in that regard have filed prusis on record on 20.02.2024 contending therein that the said recruitment process has been completed and the process of giving appointments is in progress. Yesterday i.e. on

20.03.2024 the learned P.O. placed on record the communication received to his office from the Joint Director Health Services, Pune, wherein it is stated that in pursuance of the advertisement of 2023 the candidate selected on the post of Multipurpose Health Worker (Male) Group-C, who are found eligible on verification of the documents have been given appointments. The respondents however, have not provided the further information as to how many appointments are issued and how many posts are still to be filled in. On a query, learned P.O. Shri Bhumkar, however, clarified that the appointments are issued only to such candidates who are found eligible after verification of the documents. Therefore, there appears reason to believe that all the posts have not yet been filled in.

24. For the reasons elaborated hereinabove, we are inclined to allow the present Original Application. Hence, the following order is passed:-

### **ORDER**

(i) The order dated 11.10.2021 issued by respondent no. 4, thereby declaring the applicants ineligible for to be appointed on the post of Multipurpose Health Workers (Male) (50%) by holding the experience certificates submitted by the applicants to be not in accordance with the parameters laid down, is quashed and set aside. Consequently the applicants are held

entitled to be appointed on the post of Multipurpose Health Workers (Male) (50%).

(ii) Respondents are directed to consider the applicants for their appointments on the vacant posts in respective districts.

(iii) Original Applications stand allowed in the aforesaid terms. No order as to costs.

(iv) Since the OAs have been allowed and disposed of, the Misc. Applications also stand disposed of.

**MEMBER (A)**

**VICE CHAIRMAN**

**Place : Aurangabad**

**Date : 21.03.2024**