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(8)WP-93585-2020

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.93585 OF 2020

Panchaksharaiah Channayya Mathapati & Ors.]... Petitioners
V/s.

The Union of India & Ors.]... Respondents.

Ms.Pradnya Talekar i/b Talekar & Associates for Petitioners.

Dr.Kirti R. Kulkarni, AGP for State.

Mr.Yogesh Rane, Registrar (Legal & Research) for Respondent No.4
present.

CORAM : K.K. TATED &
N.R. BORKAR, JJ.

DATE : 6TH OCTOBER, 2020,

P.C. :

1] Heard learned counsel for parties.

2] Learned AGP appearing on behalf of Respondent/State
submits that they have not received copy of writ petition.

3] Learned counsel for Petitioners submits that the other
respondents are duly served, but no one appeared on behalf of them
when the matter is called out.

4] The main issue involved in the Petition is regarding regularisation of Petitioners who are appointed as Court Managers in 2013 and 2016. Learned counsel for the Petitioner submits that Apex Court in the matter of All India Judges Association & Ors. vs. Union of India & Ors. in Interlocutory Application No.279 of 2010 in Writ Petition (Civil) No.1022 of 1989 held that the Court Manager post is necessary in District Courts. She relies on Para No.12(ix) of the said order, which reads thus :

“ Professionally qualified court managers, preferably with an MBA degree, must also be appointed to render assistance in performing the court administration. The said post of Court managers must be created in each judicial district for assisting Principal District and Sessions Judges. Such Court Managers would enable the District Judges to devote more time to their core work, that is, judicial functions. This, in turn, would enhance the efficiency of the District Judicial System. These court managers would also help in identifying the weaknesses in the court management systems and recommending workable steps under the supervision of their respective judges for rectifying the same. The services of any person already working as a Court Manager in any district should be regularised by the State Government as we are of the considered view that their assistance is needed for a proper administrative set up in a Court.”

5] Considering these facts, following order is passed :

a] Petitioners are directed to again serve respondents alongwith entire proceeding immediately;

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b] Respondents are directed to file their Affidavit-in-Reply, if any, on or before 20 October, 2020 with copy to other side;

c] Matter to appear on board on 22 October, 2020.

d] This order will be digitally signed by the Personal Assistant of this Court. All concerned will act on a digitally signed copy of this order.

[N.R. BORKAR, J]

[K.K.TATED,J]