



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**WRIT PETITION NO. 4436 PF 2005
WITH
CIVIL APPLICATION NO. 9136 OF 2024**

1. Ranjeet Vithalrao Savle .. Petitioners
Age. 30 years, Occ. Service,
R/o. Mukaramabad, Tq. Mukhed,
District – Nanded.
2. Dnyaneshwar Janardhan Gadewar
Age. 29 years, Occ. Service,
R/o. Naigaon, Tq. Naigaon,
Dist. Nanded.
3. Madhukar Madhavrao Bongade,
Age. 32 years, Occ. Service.
R/o. Atkali, Tq. Biloli,
District Nanded.
4. Devidas Gangadhar Yalmod
Age. 31 years, Occ. Service,
R/o. Nanded.
5. Mahajan Vithal Dhekle
age 27 years, occ. service,
r/o Shankar Nagar, Tq. Biloli,
District Nanded.
6. Gangadhar Vitthalrao Honshetee
age 32 years, occ. service
r/o Shankar Nagar, Tq. Biloli,
District Nanded.
7. Sanjay Laxman Sangnale
age 30 years, occ. service
r/o Betmogra, Tq. Mukhed,
District Nanded.

8. Linguram Rajanna Ramlingu,
age 29 years, occ. service,
r/o Sagroli, Tq. Biloli,
District Nanded.
9. Rajeshwar Madhavrao Badnale
age 27 years, occ. service
r/o Sawargaon (P) Tq. Mukhed
District Nanded.
10. Ayubkhan Hussainkhan Pathan
age 29 years, occ. service
r/o Nanded.
11. Shankar Sopan Sambalwar
age 31 years, occ.service,
r/o Nanded.
12. Suryakant Balaji Wadgave
age 30 years, occ.service
r/o Mukhed, Dist. Nanded.
13. Santosh Bhimrao Gaikwad
age 28 years, occ. service
r/o Mukhed, District Nanded.
14. Gangadhar Shankarrao Bhilwande
age 28 years, occ.service
r/o Takli, Tq. Biloli, Dist.Nanded
15. Bhimrao Maroti Sambalwad
age 32 years, occ.service,
r/o Takli, Tq. Biloli, Dist. Nanded
16. Satish Sureshrao Solanke
age 31 years, occ.service
r/o Nanded.
17. Shivram Balaji Patils
age 30 years, occ.service
r/o Krishnur, Tq. Biloli, District Nanded.

18. Shivanand Shankarrao Chande
age 32 years, occ. service
r/o Kahala, Tq.Biloli, District Nanded.
19. Hanumant Vishwambhar Fazge
age 35 years, occ. service
r/o Malapuri, Tq. Loha District Nanded.

(Some of the Complainants in
Complaint (ULP) No.27 of 2001).

20. Devidas Dhawji Chavan
age 37 years, occ.service
r/o Shankarnagar, Tq. Biloli, District Nanded.
21. Prakash Trimbak Patil
age 31 years, occ.service
r/o Takli, Tq. Biloli, District Nanded.
22. Dilip Udhavrao Jilhavar
age 31 years, occ. service
r/o Ratoli, Tq. Naigaon, District Nanded.
23. Bhaskar Dhondiba Pawar
age 37 years, occ.service
r/o Loha, Dist. Nanded.
24. Ramrao Bhagwanrao Kadam
age 30 years, occ.service
r/o Kurla, Dist. Nanded.
25. Madhav Yadeorao Chiwde
age 25 years, occ.service
r/o Kurla, Dist. Nanded.
26. Rajkumar Baburao Palekar
age 27 years, occ.service
r/o Mugaon, Dist. Nanded.
27. Ajay Sureshrao Solanke

age 37 years, occ.service
r/o Malegaon, Dist. Nanded.

28. Pandit Vithalrao Chavan
age 31 years, occ.service
R/o Koli, District Nanded.
29. Rama Datttarao Solanke
age 30 years, occ.service
r/o Hadgaon, Dist. Nanded.
30. Pandurang Bhaurao Bagal
age 31 years, occ.service
r/o Manatha, Dist. Nanded.
31. Dattatray Balwant Mhaske
age 33 years, occ.service
r/o Palsa, Dist. Nanded.
32. Sanjay Nagorao Kadam
age 37 years, occ.service
r/o Tamsa, Dist. Nanded.
33. Sanjay Dattarao Falke
age 29 years, occ.service
r/o Tamsa, Dist. Nanded.
34. Harihar Shivajirao Mundhe
age 32 years, occ. service
r/o Limgaon, Nanded.
35. Balaji Vithalrao Holkar
age 33 years, occ.service
r/o Limgaon, Nanded.
36. Shahuraj Madhavrao Dhage
age 31 years, occ.service
r/o Kivla, Dist. Nanded.
37. Keshav Balaji Dhale
age 35 years, occ.service

r/o Kapsi Bk. Dist. Nanded.

38. Balaji Gangadhar Pawar
age 30 years, occ. service
r/o Nivgha, Dist. Nanded.
39. Kawalgaonkar Maroti Sayanna
age 31 years, occ.service
r/o Karadkhed, Dist. Nanded.
40. Balaji Baliram Shinde
age 30 years, occ.service
r/o Wajegaon, Dist. Nanded.
41. Shahaji Dadarao Sawle
age 29 years, occ. service
r/o Martala, Dist. Nanded.
42. Ramesh Deuji Patil
age 27 years, occ.service
r/o Martala, Dist. Nanded.
43. Sambhaji Mashnaji Patil
age 28 years, occ.service
r/o Eklara, Dist. Nanded.
44. Milind Khandupant Rekhawar,
age 31 years, occ.service
r/o Sawargaon, Dist. Nanded.
45. Sanjay Govindrao More
age 30 years, occ. service
r/o Kinwat, Dist. Nanded.
46. Bharswade Subhash Ramchandrrao
age 29 years, occ.service,
r/o Rahati, District Nanded

(Some of the Complainants in
Complaint (ULP) No.31 of 2001).

47. Sk.Magsud Mohd. Gous
age 28 years, occ.service r/o Nanded.
48. Nagorao Santoba Kayatwad
age 27 years, occ.service
r/o Nanded
49. Ku.Madhvi Kishanrao Alewar
age 25 years, occ. Service,
r/o. Shivni, Tq.Kinwat, District Nanded.
50. Balasaheb Sudhakarrao Kalyankar
age 27 years, occ.service
r/o Shemboli, Tq. Mudkhed,
Dist. Nanded.
51. Bhagwan Keshav Kadam
age 25 years, occ.service
r/o Nivgha, Tq. Hadgaon, District Nanded.
52. Anand Shankarrao Kadam
age 27 years, occ. service
r/o Jawalgaon, Tq. Himayat Nagar, Dist. Nanded.
53. Deelip Suryabhan Kawle
age 29 years, occ.service
r/o Hadgaon, Dist. Nanded
54. Laxman Baburao Narwade
age 32 years, occ.service
r/o Walki, Tq. Hadgaon
Dist. Nanded.
55. Yudhishtir Keshavrao Deosarker
age 30 years, occ.service
r/o Kinwat, Tq. Kinwant,
District Nanded.
56. Santosh Shivaji Jagtap
age 34 years, occ.service
r/o Nivgha, Tq. Hadgaon, District Nanded.

57. Raosaheb Bapurao Kendre
age 37 years, occ.service
r/o Kamtha Bk. Dist. Nanded.
58. Syed. Taufik Ahmad Syed Jalal
age 32 years, occ. service
r/o Itwara, Nanded.
59. Gajanan Kachru Kawde
age 30 years, occ.service
r/o Malegaon, Dist. Nanded.
60. Iftekhar Ahmad Abdul Wahab
age 31 years, occ.service
r/o Sarafa, Nanded.
61. Ganesh Kishanrao Mudholkar
age 30 years, occ.service
r/o Shivajinagar, Nanded.
62. Kavita Punjajirao Karkhade
age 29 years, occ.service
r/o Shivajinagar, Nanded.
63. Vitthal Madhav Arole
age 32 years, occ.service
r/o Malakoli, Tq. Kandhar Nanded.
64. Umesh Chandrakant Birajdar
age 30 years, occ.service
r/o Ganesh Nagar, Nanded.
65. Durgasing Raghunath Thakur
age 31 years, occ.service
r/o Jaldhara, Tq. Kinwat, Nanded.
66. Ranjana Maroti Bhugtare
age 29 years, occ.service,
r/o Islapur, Tq. Kinwant District Nanded

67. Kapil Dattatray Karewad
age 31 years, occ.service,
r/o Islapur, Tq. Kinwat District Nanded
68. Balasaheb Devidas Thenge
age 30 years, occ.service,
r/o Islapur, Tq. Kinwat, District Nanded
69. Vinod Nagorao Mundhe
age 29 years, occ.service,
r/o Bodhadi, Tq. Kinwat District Nanded
70. Ganprasad Tukaram Patil
age 30 years, occ.service,
r/o Islapur, Tq. Kinwat District Nanded
71. Gajanan Bhimrao Phad
age 33 years, occ.service,
r/o Bodhadi, Tq. Kinwat, Nanded
72. Raju Laxman Shelke,
age 31 years, occ.service,
r/o Vajirabad, Nanded
73. Sk. Maqдум Sk. Mastan
age 28 years, occ.service,
r/o Rahati, Dist. Nanded
74. Mohd. Jawid Mohd. Sadik
age 29 years, occ.service,
r/o Usmannagar, Tq. Loha, District Nanded
75. Nabi Mahbub Pathan
age 33 years, occ.service,
r/o Kiwla, Tq. Kandhar District Nanded
76. Vijay Marotrao Shirmewar
age 28 years, occ.service,
r/o Degloor Road, Nanded
77. Datta Munjaji Nikhate

age 29 years, occ.service,
r/o Nanded

78. Madhav Manika Kahalekar
age 33 years, occ.service,
r/o Itwara, Nanded
79. Mahmoodkhan Ahmadkhan Pathan
age 31 years,
occ.service, r/o Itwara, Nanded
80. Deepak Panditrao Birajdar
age 30 years, occ.service,
r/oArdhapur, Dist. Nanded
81. Veerbhadra Raghunathrao Menkudle
age 32 years, occ.service,
Flo Kamtha (Bk.), Dist Nanded.
82. Ku.Manisha Namdeo Datir,
age 29 years, occ.service,
r/o Sri Nagar Nanded
83. Amit Ashokrao Biradar
age 32 years, occ.service,
r/o Ganesh Nagar, Nanded
84. Anil Ghansham Kadam
age 30 years, occ.service,
r/o Nanded
85. Ku.Suchita Shankar Rudrakanthwar
age 29 years, occ.service,
r/o Shivaji Nagar, Nanded
86. Kaustubh Bhaskarrao Joshi
age 30 years, occ.service,
r/o Barad, Tq. Mudkhed, District Nanded
87. Pawle Sanjeev Chatrapati
age 31 years, occ.service,

r/o Kandhar, Dist. Nanded

88. Sudhakar Ramchandra Kalkekar
age 30 years, occ.service,
r/o Kavtha, Tq. Kandhar, District Nanded
89. More Shrikrishna Harinam
age 30 years, occ.service,
r/o Nanded
90. Deshmukh Mohan Rajaram
age 31 years, occ.service,
r/o Wajegaon, Dist. Nanded
91. Prakash Nagorao Parde
age 31 years, occ.service,
r/o Pardi (M), Tq. Mukhed District Nanded
92. Amol Laxmikant Choudhari
age 29 years, occ.service,
r/o Nanded
93. Madhav Dattarao Shelgaonkar
age 37 years, occ.service,
r/o Nanded.
94. Bharat Shivajirao Chavan
age 35 years, occ.service,
r/o. Limbgaon, Dist. Nanded.
95. Pandit Govindrao Wadwale
age 27 years, occ.service,
r/o Kapsi (Bk), Tq. Kandhar District Nanded
96. Sunil Manikrao Pawar
age 29 years, occ.service,
r/o Malegaon, Tq. Kandhar, District Nanded
97. Sanjay Tukaram Shinde
age 33 years, occ.service,
r/o Cidco, Nanded

98. Vinayak Bhanudas Shirsath
age 34 years, occ.service,
r/o Gandhi Nagar, Loha, Dist. Nanded
99. Rajendra Panditrap Sunegaonkar
age 33 years, occ.service,
r/o Naleshwar, Dist. Nanded
100. Balaji Bapurao Avale
age 32 years, occ.service,
r/o Kandhar, Dist. Nanded
101. Madhav Kondbarao Chikhale
age 34 years, occ.service,
r/o Nanded
102. Laxmikant Marotirao Kale
age 33 years, occ.service,
r/o Ganeshnagar, Nanded
103. Digambar Shriram Sawant,
age 30 years, occ.service,
r/o Nanded.
104. Anil Venkatrao Sawant
age 34 years, occ.service,
r/o Nanded
105. Malkarjun Ganeshrao Kamehekar
age 35 years, occ.service,
r/o Barad, Tq. Mudkhed, District Nanded
106. Vasant Anandrao Kalyane
age 34 years, occ.service,
r/o Malkawath, Tq. Kandhar District Nanded
107. Vinod Sheshrao Kadam
age 30 years, occ.service,
r/o. Vazirabad, Nanded

108. Rahul Sakharam Shinde
age 30 years, occ.service,
r/o Tarasingh Market, Nanded
109. Maroti Digambar Pawar
age 31 years, occ.service,
r/o Nivgha, Tq. Mudkhed, District Nanded
110. Adinath Bhagwanrao Lohkare,
age 29 years, occ.service,
r/o Shiradhon, Tq. Kandhar, District Nanded
111. Ram Ganeshrao Badwane
age 30 years, occ.service,
r/o Nila, Dist. Nanded
112. Keshav Devidasrao Shinde
age 32 years, occ.service,
r/o Kamtha, Dist. Nanded
113. Sunita Laxmanrao Pande
age 29 years, occ.service,
r/o Malkawtha, Tq. Kandhar, District Nanded
114. Yeshwant Sheshrao Belker
age 29 years, occ.service,
r/o Laxminagar, Tq. Mudkhed, District Nanded
115. Vitthal Sudamrao Jadhav
age 33 years, occ.service,
r/o Rahati (Bk.) Dist. Nanded
116. Hiranman Laxman Shinde
age 32 years, occ.service,
r/o Malegaon, Dist. Nanded
117. Sunil Prabhakar Nagrale
age 33 years, occ.service,
r/o Mudkhed, Dist. Nanded
118. Ananda Balaji Kadam

age 3 years, occ.service,
r/o Umra, Dist. Nanded

119. Narhari Manikrao Kadam
age 30 years, occ.service,
r/o Nila, Dist. Nanded
120. Shinde Vinayak Vithalrao
age 31 years, occ.service,
r/o Nila, Dist. Nanded.
121. Sanjayreddy Muttyareddy N.Gaud
age 30 years, occ.service,
r/o Jaldhara, Tq. Kinwat, District Nanded.

(Some of the complainants in
Complaint (ULP) No.43/2001).

122. Deokate Shankar Jeevanrao
age 27 years, occ.service,
r/o Barhali, Dist. Nanded
123. Aglawe Bhagwat Venkatrao
age 29 years, occ.service,
r/o Eklara, Dist. Nanded
124. Deelip Kashinath Kadam
age 27 years, occ.service,
r/o Nanded
125. Balawant Mahajan Dasarwad
age 30 years, occ.service,
r/o Krushnur, Dist. Nanded
126. Nagesh Tukaram Kadam
age 91 years, occ.service,
r/o Cidco, Nanded
127. Wadekar Shivaji Hanmantrao
age 30 years, occ.service
r/o Eklara, Nanded.

128. Patil Santosh Vitthalrao
age 33 years, occ.service
r/o Sugaon Kamp, Nanded.
129. Ingle Deelip Gangadharrao
age 29 years, occ.service
r/o Mukhed, Dist. Nanded.
130. Dattaji Giridharrao Patil
age 33 years, occ.service
r/o Dapka, Dist. Nanded.
131. Tanaji Vyankatrao Hingole
age 34 years, occ.service
r/o Yewta, Dist. Nanded.
132. Rajkumar Datta Bhosikar
age 37 years, occ.service
r/o Kalambar, Dist. Nanded.
133. Mahande Prakash Marotirao
age 31 years, occ.service
r/o Sagroli, Dist. Nanded.
134. Potulwar Kishan Marotirao
age 29 years, occ.service
r/o Hottal, Dist. Nanded.
135. Balaji Tukaram Kurupsawle
age 33 years, occ.service
r/o Nanded.
136. Namdeo Bhaurao Sontakke
age 30 years, occ.service
r/o Malegaon, Nanded.
137. Shinde Pandhari Shankarrao
age 31 years, occ.service
r/o Wadehuri, Dist. Nanded.

138. Pathan Sajjatkhan Ekbalkhan
age 29 years, occ.service
r/o Bhokar, Dist. Nanded.
139. Maroti Digambarrao More
age 27 years, occ.service
r/o Kapáshi (bk.) Dist.Nanded.
140. Namdeo Aaynayrao Kadam
age 29 years, occ.service
r/o Chikhali, Dist. Nanded.
141. Shete Keshav Madhavrao,
age 28 years, occ.service
r/o Loha, Dist. Nanded.
142. Pawar Ramesh Vyankatrao,
age 26 years, occ.service
r/o Loha, Dist. Nanded.
143. Narsingh Manikrao Dhulgande
age 27 years, occ.service
r/o Aashtur, Dist. Nanded.
144. Pawar Shivraj Pandurang,
age 30 years, occ.service
r/o Loha, Dist. Nanded.
145. Govind Vitthalrao More,
age 31 years, occ.service
r/o Sonkhed, Dist. Nanded.
146. Shivraj Balaji Chavan
age 33 years, occ.service
r/o Kandhar, Dist. Nanded.
147. Kailash Uttamrao More
age 32 years, occ.service
r/o Sonkhed, Dist. Nanded.
148. Shivaji Madhavrao Sawle

age 31 years, occ.service
r/o Shewdi, Dist. Nanded.

149. Bahgwat Gulabrao Jadhav
age 35 years, occ.service
r/o Cidco, Nanded.
150. Rajendra Peeraji Yamalwad
age 29 years, occ.service
r/o Khandgaon, Dist. Nanded.
151. Sudhir Ramrao Patil,
age 32 years, occ.service
r/o Naleshwar, Dist. Nanded.
152. Omprakash Panditrao Sonwale
age 33 years, occ.service
r/o Loha, Dist. Nanded.
153. Pralhad Digambarrao Hatne
age 29 years, occ.service
r/o Loha, Dist. Nanded.
154. Shriniwasreddy Bhuaireddy Kacharal
age 29 years, occ.service
r/o Ganeshnagar, Nanded.
155. Babar Datta Keshavrao,
age 33 years, occ.service
r/o Ashtur, Dist. Nanded.
156. Dhanraj Shivraj Patil,
age 32 years, occ.service
r/o Motarga, Dist. Nanded.

(Some of the complainants in
Complaint (ULP) No.44 of 2001).

157. Rajeev Dyanoba Marewad
age 33 years, occ. service
r/o Kurla, Dist. Jalna.

158. Subhash Raghunathrao Patil
age 29 years, occ.service
r/o Alandi, Dist. Nanded.
159. Subhanji Sahdeo Humpure
age 27 years, occ.service
r/o Belkoni, Dist. Nanded.
160. Nagnath Peeraji Mane
age 29 years, occ.service
r/o Dharmabad, Dist. Nanded.
161. Sanjay Bapurao Kahalekar
age 33 years, occ.service
r/o Loha, Dist. Nanded.
162. Sunklade Maroti Nagnathrao
age 32 years, occ.service
r/o Sawli. Dist. Nanded.
163. Sanjay Marotrao Ghorband
age 31 years, occ.service
r/o Osmanagar, Dist. Nanded.
164. Wanshete Balaji Bhagwantrao
age 32 years, occ.service
r/o Takli, Dist. Nanded.
165. Sanjay Nagorao Ghongde
age 37 years, occ.service
r/o Ahmadpur, Dist. Nanded.
166. Datta Shankar Dhage
age 33 years, occ.service
r/o Ghungarala, Dist. Nanded.
167. Nagorao Gangadharrao Patil
age 32 years, occ.service
r/o Khanapur, Dist. Nanded.

168. Anil Chandrakant Sawant
age 29 years, occ.service
r/o Deglur, Dist. Nanded.
169. Shaikh Ismail Mahboob Sab
age 30 years, occ.service
r/o Deglur, Dist. Nanded.
170. Shiwaji Abaji Sugawe
age 31 years, occ.service
r/o Mukramabad, Dist. Nanded.
171. Gorakshanath Raghunath Deshmukh
age 33 years, occ.service
r/o Karadkhed, Dist. Nanded.
172. Santosh Bapurao Patil
age 32 years, occ.service
r/o Khanapur, Dist. Nanded.
173. Sanjay Madhavrao Dhulknale,
age 29 years, occ.service
r/o Deglur, Dist. Nanded.
174. Rajeshwar Madhavrao Hingole
age 33 years, occ.service
r/o Deglur, Dist. Nanded.
175. Udhav Bapurao Shinde
age 28 years, occ.service
r/o Shahapur, Dist. Nanded.
176. Bhagwanrao Gangadharrao Jalne
age 29 years, occ.service
r/o Sugaon, Dist. Nanded.
177. Hanmant Bapurao Birajdar
age 29 years, occ.service
r/o Markhel, Dist. Nanded.
178. Sanjay Laxmanrao Patil

age 33 years, occ.service
r/o Gawadgaon, Dist. Nanded.

179. Shridhar Lahuji Patil
age 32 years, occ.service,
r/o Markhel, Dist. Nanded
180. Subhash Tukaram Dinde
age 33 years, occ.service,
r/o Hanegaon, Dist. Nanded
181. Pawde Vijaykumar Bapurao
age 35 years, occ.service,
r/o Sarkhani, Dist. Nanded
182. Sontakke Sanjay Marotrao
age 39 years, occ.service,
r/o Ashta, Dist. Nanded
183. Keshwe Prakash Dattatraya
age 31 years, occ.service,
r/o Ashta, Dist. Nanded
184. Rathod Subhash Umla
age 29 years, occ.service,
r/o Waie, Dist. Nanded
185. Muneshwar Madhukar Khanduji
age 28 years, occ.service,
r/o Mahur, Dist. Nanded
186. Rathod Digambar Tulshiram
age 27 years, occ.service,
r/o Umari, Dist. Nanded
187. Chaudhari Subhash Wamanrao
age 29 years, occ.service,
r/o Waie, Dist. Nanded
188. Khare Govind Balwant
age 33 years, occ.service,

r/o Mahoor, Dist. Nanded

199. Karale Bhaskar Shriniwas
age 34 years, occ.service,
r/o Sarkhandi, Dist. Nanded
190. Thorat Deepak Wamanrao
age 30 years, occ.service,
r/o Sarkhandi, Dist. Nanded
191. Yadeo Gajanan Marotrao
age 31 years, occ.service,
r/o Wanola, Dist. Nanded
192. Kakde Datta Jalbaji
age 33 years, occ.service,
r/o Kinwat, Dist. Nanded
193. Karale Pradeep Baburao
age 29 years, occ.service,
r/o Kinwat, Dist. Nanded
194. Ambhore Sudhakar Maroti
age 28 years, occ.service,
r/o Kinwat, Dist. Nanded
195. Gunjker Prasad Gopinath
age 33 years, occ.service,
r/o Kinwat, Dist. Nanded
196. Kadam Santosh Awdhota
age 27 years, occ.service,
r/o Mahúr, Dist. Nanded
197. Karale Ashish Ramrao
age 26 years, occ.service,
r/o Kinwat, Dist. Nanded
198. Bendre Sahebrao Dadarao
age 27 years, occ.service,
r/o Wanola, Dist. Nanded

199. Telke Ramesh Shivram
age 27 years, occ.service,
r/o Bodhadi, Dist. Nanded
200. Keshwe Praveen Babarao
age 29 years, occ.service,
r/o Vasantnagar, Nanded
201. Chabhrekar Sadashiv Vishwanath
age 33 years, occ.service,
r/o Nanded
202. Tidke Prashant Vitthalrao
age 32 years, occ.service,
r/o New Mondha, Nanded
203. Shinde Babarao Limbajirao
age 31 years, occ.service,
r/o Vasant Nagar Nanded
204. Karale Chandrakant Yeshwantrao
age 33 years, occ.service,
r/o Shivaji Nagar Nanded
205. Lekhule Sonba Nathu
age 33 years, occ.service,
r/o Vasant Nagar, Nanded
206. Pandit Visal Dattatray
age 32 years, occ.service,
r/o Degloor Naka, Nanded.

(Some of the complainants in
Complaint (ULP) No.47 of 2001)

207. Madhav Kondiba Puyad
age 33 years, occ. service
r/o Hadgaon, Dist. Nanded.
200. Murlidhar Keshavrao Kalyankar

age 31 years, occ. service
r/o Manatha, Tq. Hadgaon, District Nanded.

209. Digambar Govindrao Kokate,
age 29 years, occ.service
r/o Nanded.
210. Ku.Meena Udhavrao Nallawar
age 29 years, occ.service
r/o T. Market, Nanded.
211. Balaji Ganpati Handkhire
age 30 years, occ.service
r/o Barul, Tq. Kandhar, District Nanded.
212. Madhav Vithalrao Gaikwad
age 30 years, occ.service
r/o Barul, Tq. Kandhar, District Nanded.
213. Babu Tukaram Chatekar
age 33 years, occ.service
r/o Shivaji Nagar, Nanded.
214. Suresh Annarao More,
age 32 years, occ.service
r/o Sonkhed, Tq. Loha, District Nanded.
215. Subhash Deorao Babar
age 31 years, occ.service
r/o Loha, Dist. Nanded.
- 216, Ramrao Baburao Deshmukh
age 31 years, occ.service
r/o Kalambar, Tq. Loha, District Nanded.
217. Balaji Sangram Jadhav
age 31 years, occ.service
r/o Kandhar, Dist. Nanded.
218. Sanjeev Bapurao Karamunge
age 29 years, occ.service

r/o Sawargaon, Tq. Loha, District Nanded.

219. Mahboob Ismail Sab Kasar
age 33 years, occ.service
r/o Chikhali, Dist. Nanded.
220. Rajeev Shamrao Pawar,
age 31 years, occ.service r/o Nanded.
221. Ananda Tukaram Parde
age 31 years, occ.service
r/o Chikhali, Tq. Kandhar Nanded.
222. Vyankati Tukaram Pandhare
age 33 years, occ.service
r/o Ambulga, Tq. Kandhar, District Nanded.
223. Tryambak Sahebrao Suryawanshi
age 33 years, occ.service
r/o Hadgaon, Dist. Nanded.
224. Santosh Manik Sagar
age 31 years, occ.service
r/o Dapka Gundopant, Tq. Mukhed
District Nanded.
225. Raju Keshavrao Fazge
age 29 years, occ.service
r/o Sawargaon, Tq. Loha District Nanded.

(Some of the complainants in
Complaint (ULP) No.174 of 2001)

226. Santosh Kisanrao Walkale
age 25 years, occ.service,
r/o Khutmapur, Tq. Degloor, District Nanded.

(Complainant in Complaint
(ULP) No.158 of 2001)

227. Shilpa Abarao Hambarde

age 23 years, occ.service
r/o Baba Nagar, Nanded.

228. Maheboob Jilani Pathan
age 27 years, occ.service
r/o Telki, Taluka Loha District Nanded.
229. Sheshrao Hullappa Sagrole
age 32 years, occ.service
r/o Alandi, Tq. Biloli, District Nanded.
230. Sanjayaappa Ganeshappa Swami
aged 21 years, occ. service
r/o Biloli, Dist. Nanded.
231. Manoj Nagnath Rekhawar
age 21 years, occ.service
r/o Biloli, Dist. Nanded.
232. Deepak Baburao Shinde
age 23 years, occ.service
r/o Kesrali, Tq. Biloli, District Nanded.
233. Sanjay Vithalrao Matalwar
age 32 years, occ.service
r/o Shelgaon, Tq. Degloor, District Nanded.
234. Avinash Gangadharrao Narawade
age 23 years, occ.service
r/o Hingoli, Post. Badur
Tq. Biloli, Dist. Nanded.
235. Kailas Devrao Wankhede
age 32 years, occ.service
r/o Shri Sai Samarth Niwas,
22, Nandanvan Colony,
Yeshwant Nagar, Nanded.
236. Baliram Gangadharrao Ghongde
age 30 years, occ.service
r/o ND 42/ P-1/ 28/4 Hudco Nanded.

(Some of the complainants in
Complaint (ULP) 65 of 2003).

237. Sayyad Shadul Sk. Immam
age 28 years, occ.service
r/o Marshivni, Tq. Kandhar District Nanded.
238. Vijaykumar Baburao Patil
age 30 years, occ.service
r/o Sangwi, Tq. Degloor, District Nanded.
239. Ramesh Khandu Kamble
age 27 years, occ.service
r/o Pethwadaj, Tq. Kandhar District Nanded.

(Some of the complainants in
Complaint (ULP) No.66 of 2003).

240. Babu Kondiba Waghmare
age 27 years, occ.service
r/o Khatgaon, Tq. Bilali, District Nanded.
241. Saylu Hanumantral Mundker
age 28 years, occ.service
r/o Karla (Kd.), Post. Karla (Bk)
Tq. Biloli, Dist. Nanded.
242. Maniksing Govindsingh Thakur
age 30 years, occ.service
r/o Sagroli, Tq. Biloli, District Nanded.
243. Laxman Wamanrao Gaikwad
age 26 years, occ.service
r/o Dhananj, At post Umra,
Tq. Loha, Dist. Nanded.
244. Sou.Sangita Ramrao Kadam
age 28 years, occ.service
r/o Visawa Nagar,
c/o Sopanrao Rukmaji Ghodge,

Near Post office, Nanded.

245. Balasaheb Raosaheb Shinde
age 27 years, occ.service
r/o Manjram, Tq. Naigaon, District Nanded.
246. Kamaji Nilkanthrao Handre
age 29 years, occ.service
r/o Adhampur, Dist. Nanded.
247. Ashok Bhimrao Patange
age 28 years, occ.service
r/o Kandli, Tq. Kalamnuri, District Hingoli.
248. Ramdas Laxman Ambulgekar,
age 27 years, occ.service
r/o Degloor, Dist. Nanded.
249. Merewar Babu Gangaram
age 25 years, occ.service,
r/o Khutmapur, Tq. Degloor, District Nanded
- (Some of the complainants in
Complaint (ULP) No.68 of 2003).
250. Ramchandra Gangaram Male
age 25 years, occ.service
r/o Shahapur, Tq. Degloor, District Nanded.
251. Sanjay Nivruttirao Dahale
age 28 years, occ.service
r/o ND 43/53-5, Cidco, Near LIC Office, Nanded.
252. Ramakant Kadajirao Deshmukh
age 33 years, occ.service
r/o Sonkhed, Tq. Loha, Dist. Nanded.
253. Rajendra Nandkishore Khedkar
aged 36 years, occ. service
r/o Hanuman Mandir Road, Shrinagar, Nanded.

254. Taher Jilanisab Inamdar
age 26 years, occ.service
r/o Barhali, Tq. Mukhed, District Nanded.

(Some of the complainants in
Complaint (ULP) No.72 of 2003)

255. Rajesh Vyankatrao Dasarwar
aged 29 years, occ. service
r/o Kinwat, Dist. Nanded.

256. Bhujang Gangadharrao Chavan
age 27 years, occ.service
r/o Naigaon, Tq. Naigaon, District Nanded.

257. Shivaji Kishanrao Dhage
age 28 years, occ.service
r/o Dhanaj, Tq. Naigaon, District Nanded.

(Some of the complainants in
Complaint (ULP) No.77 of 2003).

258. Balaji Vishwanath Kadam
age 30 years, occ. service
r/o Nanded.

(Complainant in Complaint
(ULP) 156 of 2003)

VERSUS

- | | | |
|---|-----------|--------------------|
| <p>1. The State of Maharashtra
Through the Registrar
Cooperative Societies,
Maharashtra State, Pune.</p> <p>2. The Nanded District Central
Cooperative Bank Limited, Nanded.
Head Office at Station Road,
Nanded, District – Nanded, through
its Administrator.</p> | <p>..</p> | <p>Respondents</p> |
|---|-----------|--------------------|

Mr. P. D. Bachate, Advocate for the petitioners.
Mr. K. N. Lokhande, AGP for respondent No.1.
Mr. K. J. Suryawanshi, Advocate for respondent No.2.

CORAM : KISHORE C. SANT, J.
RESERVED ON : 07.04.2025
PRONOUNCED ON : 21.04.2025

J U D G M E N T :-

01. Present petitioners have approached this Court challenging judgment and order dated 01.04.2005 passed by the learned Industrial Court, Jalna in Complaint ULP Nos. 27/2001, 31/2001, 43/2001, 44/2001, 47/2001, 158/2001, 174/2001, 46/2002, 65/2003, 66/2003, 68/2003, 72/2003, 77/2003, 87/2003, 187/2003, 146/2003 and 156/2003. By way of the judgment, the learned Industrial Court refused to allow the complaints, by the present petitioners. The petitioners had prayed to declare that the respondent has indulged into unfair labour practices under Item Nos. 6,9 and 5 of Schedule IV of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971. [for short "MRTU and PULP Act, 1971"].

02. In short, it is case of the petitioners that the petitioners were appointed in the year 1992 till 1995 on the post of Clerk. The respondent-bank passed two resolutions dated 17.04.1995 and

31.07.1995. At the relevant time, the respondent-bank was in weak financial position and was facing financial crisis. To recover the amount, the respondent-bank had engaged employees i.e. these petitioners. However, the petitioners were not made permanent. The petitioners, therefore, filed ULP complaints. Initially, the Industrial Court granted order of status-quo. However, subsequently, the ULP complaints came to be dismissed by the judgment and order dated 01.04.2005. The respondent-bank, therefore, issued notice on 19.04.2005 and terminated services of the petitioners. The petitioners approached this Court challenging the said order. The petition came to be admitted by this Court by order dated 21.11.2005. Since the petitioners are facing difficulties, as they are out of service since 2005, this petition is moved for final hearing. Looking to the urgency, this Court decided to take up the matter for final hearing by consent of the parties, though the same is appeared in the order matters category.

03. At the outset, learned Advocate Mr. Bachate for the petitioners made submission that the respondent-bank has already filed affidavit in this writ petition, wherein it is stated that the bank is ready to consider the case of the petitioners sympathetically as per section 25-H of the Industrial Disputes Act and thus the petitioners would be

considered for giving employment in the bank, in-case there are vacancies available. In the affidavit, it is pointed out that the respondent-bank itself has stated that the bank has retrenched the daily wages workers by preparing their seniority list and removed them. As and when the bank required services of the daily wages workers on temporary or permanent basis, the bank will consider claim of the daily wages workers as per seniority. Learned Advocate Mr. Bachate, therefore, submits that this petition can be disposed off in view of the said statement appearing in the affidavit-in-reply by the respondent-bank.

04. Learned Advocate Mr. Suryawanshi appearing for the respondent-bank raises preliminary objection that total 17 complaints were filed before the Industrial Court. The judgment was common, still the petitioners were required to file 17 writ petitions in this Court. The second objection he raised is about maintainability of the petition. He submits that it is the case of the petitioners themselves that they are terminated. Therefore, their remedy lies in approaching the Labour Court challenging the order of termination. When the remedy is available, the petitioners need not approach this Court. He vehemently submits that though submission is made in respect of retrenchment,

however, the complaints filed were for permanency benefits and for declaration that the respondent-bank indulged in to unfair labour practices under item Nos. 6, 9 and 5 of the Schedule IV of the MRTU & PULP Act, by inviting attention to the prayers in the complaint. He submits that the Industrial Court has rightly considered the merits of the matter and has specifically come to a conclusion that no case is made out by the petitioners to allow the complaints. The Industrial Court has categorically recorded finding that the appointments of the petitioners were not made on sanctioned permanent post and the issue is rightly answered in negative. Even the point of legality and validity of the appointments is answered in negative. In such case, this petition need not be entertained. He further submits that some of the employees even approached the Labour Court challenging the order of termination. He, thus, prays for dismissal of the writ petition.

05. Learned Advocate for the petitioners Mr. Bachate relies upon following judgments :-

- i) **Municipal Council, Pulgaon Vs. Sau. Manu w/o. Sudesh Malik and Anr., 2007(4) Mh.L.J.446.**
- ii) **Kiran Shankar Rawool & Ors. Vs. Eastern International Hotel & Ors., 2019 (2) Bom.C.R.489.**
- iii) **Management of the Barara Cooperative Marketing-cum-Processing Society Limited Vs. Workman Partap Singh, 2019 AIR (SC) 228.**
- iv) **Yadav Yogaji Ingle Vs. The Nanded District Central Co-**

operative Bank Ltd., Nanded [WP No.1748 of 2021 – dated 11.07.2023]

. Above judgments are mainly relied upon by the petitioners to submit that the respondent-bank needs to consider the cases of these petitioners under section 25-H of the Industrial Disputes Act.

06. In the case of **Municipal Council, Pulgaon [supra]**, this Court has held that the cause of action does not come to an end by termination of services. The Court has to consider the position as on the date of filing of the complaint under section 28 of the MRTU & PULP Act.

. In the case of **Kiran Shankar Rawool [supra]**, this Court held that even if the employees are not remaining unemployed for long period and even if they have engaged themselves in some other employment, still their names need to be considered, while considering section 25-H of the Industrial Disputes Act.

. In the case of **Management of the Barara [supra]**, the Hon'ble Supreme Court considered the provisions of section 25-H of the Industrial Disputes Act. It is held that said section requires to be implemented as per the procedure prescribed in the Rule 78 of the

Industrial Disputes (Central) Rules, 1957. Section 25-H is held to be applicable only when the employer decides to fill up vacancies in their set up. It is further held that the section provides for issuance of notice to retrenched employee prescribed therein in that behalf.

. In **Yadav Yogaji Ingle [supra]**, this Court has directed the very bank i.e. the respondent in the present petition to consider the claim of the petitioners therein in terms of Section 25-H of the Industrial Disputes Act, if the petitioners are otherwise eligible and qualified.

07. So far as judgments in the cases above are concerned, there cannot be any dispute with the proposition. The only question is whether the said judgments are applicable to the present case. In this case it is clearly seen that the ULP complaints were filed for breach of item Nos. 6,9 and 5 of Schedule IV of the MRTU & PULP Act, whereas these judgments deal with the provisions of section 25-H of the Industrial Disputes Act. So far as Writ Petition No.1478 of 2021 is concerned, the facts are identical and the respondent is the same. This Court has clearly held that the petitioners had approached after considerable delay and the petitions were dismissed on the ground of delay and laches. It is only observed that the respondent-bank, if processes to fill in any post, in

that case the bank may consider the claim of the petitioners therein in terms of section 25-H of the Industrial Disputes Act. This Court in the said judgment had shown some indulgence looking to the submissions of the parties.

08. In the present case, this Court finds that the petitioners have approached this Court challenging the judgment passed by the Industrial Court. No any perversity or illegality is pointed out in the impugned judgment. This Court is, thus, not inclined to interfere with the said judgment. No case is made out calling for interference. So far as section 25-H is concerned, this Court finds that no specific direction is necessary. It is always open for the respondent-bank to consider the provisions of the Act.

09. With the above discussions, the Writ Petition stands dismissed with no order as to costs. Rule discharged.

10. In view of dismissal of the Writ Petition, connected Civil Application does not survive and is disposed off accordingly.

[KISHORE C. SANT, J.]