

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.3554 OF 2003

- 1) The State of Maharashtra,
Through the Asstt. Commissioner
of Sales Tax (M92), Nanded,
- 2) The Dy. Commissioner of Sales Tax,
(Adm) Aurangabad Division, Aurangabad.

...PETITIONERS

VERSUS

Faeema Begum,
Age-40 years, Occu:Service
as part time Scavenger,
Sales Tax Office, Nanded,
Tq. & Dist-Nanded,
Vikrikar Bhavan,
Opp. Rly. Station, Nanded.

...RESPONDENT

...
Mr.G.K. Thigale (Naik) Additional Government
Pleader for Petitioners.
None present for Respondent.

...

**CORAM: S.V. GANGAPURWALA AND
A.I.S. CHEEMA, JJ.**

DATE : 27TH MARCH, 2015

ORDER :

1. Mr. Thigale, learned Additional

Government Pleader submits that the Tribunal committed error while directing the present Petitioners to pay Rs.900/- per month to the Respondent from the date of Petition. The Respondent was paid from the contingency fund who was working as part-time sweeper. Learned Additional G.P. submits that the Respondent was appointed and initially he was paid Rs.140/- per month and thereafter the same was increased to Rs.252/- per month. The payment has been revised by the Government from time to time.

2. This Court, while admitting the Writ Petition, had denied any interim order. As such, as per the directions of the Tribunal, present Petitioners were required to pay at the rate of Rs.900/- per month to the Respondent.

3. The Tribunal has considered that even if the contention of the present Petitioners is accepted that all part timers are working for two

hours per day, then the Tribunal observed that they ought to be paid one fourth of what Class IV employee gets as salary at entry, plus dearness allowance payable to him. Considering that, directions were given by the Tribunal directing the present Petitioners to pay Rs.900/- per month to the Respondent. We do not feel that the same is unreasonable in these days. Moreover the interim order was also specifically refused, meaning thereby, for all these years the Petitioners are required to pay at least such amount to the Respondent. In fact the Petitioners have to confirm to the provisions of Minimum Wages Act. The said amount, in view of today's standard, would be also meager.

4. In light of above, Writ Petition is dismissed. No costs. Rule discharged.

[A.I.S.CHEEMA, J.]

asb/MAR15

[S.V. GANGAPURWALA, J.]