

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8894 OF 2013

VANITA SAMBHAJI RAIBOLE
VERSUS
THE DIVISIONAL COMMISSIONER, AURANGABAD AND OTHERS

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Advocate for Petitioner : Shri Savangikar Subhash K.
AGP for Respondent 1: Smt. Shinde V.A.
Advocate for Respondent 3 : Smt. Madne (Narwate) Savita
Advocate for Respondent 4 : Shri Tele A.B.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: June 25, 2015

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PER COURT :-

1. Shri Savangikar, learned Advocate has placed reliance upon the judgment delivered by the learned Division Bench of this Court in the case of Vidya w/o Vishnu Vanare Vs. State of Maharashtra [2011 (2) Mah. L.J. 221]. This Court has concluded that the Anganwadi Sevika, as like the petitioner herein is a “workman” and the remedy under the Labour Laws is available to such employees. This Court has taken the same view in the case of Dy.Chief Executive Officer (Child Welfare), Zilla Parishad, Ahmednagar Vs. Smt. Ratan Eknath Gund [2015(2) Mh.L.J.616].

2. Shri Savangikar, learned Advocate, therefore, submits that the petitioner desires to withdraw this petition and resort to the remedy under the Labour Laws and the pendency of this petition before this Court, be considered as a ground for condonation of delay.

3. The learned AGP and Shri Tele have no objection.

4. In the light of the above and the statement made on instructions from the petitioner, this petition is disposed off as withdrawn with liberty to the petitioner to avail of a remedy under the Labour Laws. Pendency of this petition from 23.9.2011, till the passing of this order, shall be a ground for

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condonation of delay, in the event, the petitioner prefers a proceeding under the Labour Laws within a period of six weeks from today.

(RAVINDRA V. GHUGE, J.)

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