

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2901 OF 2015
IN WP/9088/2011

SURYABHAN VITHOBA AMBHORE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Shri Shelke Avishkar S.
AGP for Respondents: Shri Salgare S.J.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: October 16, 2015
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PER COURT :-

1. I have heard the learned Advocates for the respective sides for quite sometime.
2. Shri Shelke, learned Advocate for the applicant submits that the applicant is in need of work for his survival. He is willing to work at whichever place the work is made available. He may not press for the relief under Section 17-B of the Industrial Disputes Act, 1947 ("ID Act") for the present, if the opponents are prepared to allot him the work.
3. Learned AGP submits that the document at page No.40 which is filed along with the affidavit in reply tendered today would indicate that where ever the work is available, the applicant is being adjusted. If under the planned scheme, the work is available, it would be ensured that the applicant gets work so as to enable him to earn his monthly wages.
4. Considering the categoric statement made by the learned AGP, on instructions and through the affidavit in reply filed today, the non-applicants shall ensure that the applicant gets work on month to month basis and is accordingly paid his daily wages as per

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Rules, at the end of the month with promptitude and without causing any undue delay.

5. With the above directions, this application is partly allowed. It is made clear that the prayer of the applicant for benefits under Section 17-B of the ID Act has not been considered, in the light of the statements made by the non-applicant in the affidavit in reply and through the learned AGP today. Same could be considered later if the situation so arises.

(RAVINDRA V. GHUGE, J.)

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