

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.5547 OF 2015

Maharashtra Rajya Sarvajanik Petitioner
Bandhakam Karmachari Sangh

Vs.

The Executive Engineers & Ors. Respondents

Mr. Ravindra B. Nair alongwith Mr. Rahul Oak, Advocate for the
Petitioner.
None for the respondents.

Coram : Smt. R.P. SondurBaldota, J.
Date : 27th July, 2015

P.C.

1 This petition challenges the concurrent findings of the courts below as regards the nature of appointment of the members of the petitioner. It has been held that the members of the petitioner were intermittently employed by Executive Engineer, Employment Guarantee Scheme Division (EGS Division), Thane. They were appointed to work on the vehicles of EG scheme. The documents produced by the parties on record clearly indicate the appointments of the petitioners were under Employment Guarantee Scheme. Consequently, the respondent, i.e. the Executive Engineer of PWD

Department was held to be not the employer of the petitioner. The office order No.317 dtd. 10th November, 1997 also confirms the same position. Thus, there is no infirmity whatsoever in the order impugned in the petition. The petition is dismissed.

(Smt. R.P. SondurBaldota, J.)