

*Sequeira*

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

**CIVIL APPLICATION NO.2761 OF 2014  
IN  
WRIT PETITION NO.1737 OF 2013**

|                                 |                               |
|---------------------------------|-------------------------------|
| Jayram Dhondiram Aher.          | .. Applicant / Ori.Respondent |
| <i>In the matter between</i>    |                               |
| The State of Maharashtra & ors. | .. Petitioners                |
| <i>Vs.</i>                      |                               |
| Jayram Dhondiram Aher.          | .. Respondent                 |

Mr.Neel Helekar, for the Applicant & orig. Respondent.  
Mr.A.D.Kango-Assistant Government Pleader, for the org. Petitioner.

**CORAM: N.M. JAMDAR, J.  
Monday, 7 December 2015.**

**PC.:**

The Application is taken out under Section 17-B of the Industrial Disputes Act, 1947.

2. By order dated 16 April 2013 rule is issued in the Writ petition and interim order is granted and the award of the Labour Court, Nasik is stayed and the Applicant has made necessary averments that inspite of his best efforts, he could not find any job and even today he is unemployed. Reply affidavit is filed which deals with the case on merits, however the assertion that the Applicant is unemployed has gone unchallenged. On 19 October 2015, learned AGP had taken time to find out whether the State would take the Applicant on temporary and daily wages and give him work as and

when available during the pendency of the petition. The learned AGP states that as on today there is no work available. In the circumstances, the Civil Application will have to be allowed. Accordingly, Civil application is allowed in terms of prayer clause (b).

N.M. JAMDAR, J.