

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 6412 OF 2015

JIJABAI KISAN RATHOD AND ANOTHER
VERSUS
STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. P.N. Kalani
AGP for Respondents: Mrs. A.V. Gondhalekar.

CORAM : S.V. GANGAPURWALA
& K.K. SONAWANE, JJ.
DATE : 1ST AUGUST , 2016.

PER COURT:

1] Amendment be carried out forthwith.

2] Learned counsel for petitioner submits that petitioner has done labour work under the EGS at various places i.e .Pohetakli, Zari, Taluka Pathri, in the year 2007. They have done labour work of refilling the water of 19 wells in the year 2011-12. In the year 2012-13 also, petitioners have done labour work of plantation of trees under the EGS. Petitioners alongwith other labourers through Mukadam, have made representations to the authorities for making payment of difference amount for the said labour work. Same was also submitted to the Commissioner but no decision has been taken.

3] Learned counsel for petitioner further submits that even respondent No.5, District Superintending Agricultural Officer, Parbhani, had submitted proposal to the Collector, Parbhani, on 22.10.2008, seeking an amount of Rs. 11,86,833/-, for making payment as per the revised rates. Various representations have been made by the petitioners but the same have not been considered.

4] Learned counsel for petitioners submits that, petitioners had threatened that if they do not receive the difference amount, then they would take some extreme steps. The Assistant Administrative Officer of the Commissionerate of Agriculture, wrote to the Joint Director, Divisional Agricultural Office, asking him to get the report on 3.6.2014. Again, communication was made on 26.9.2014, by the Assistant Agricultural Officer, to the Divisional Joint Director (Agriculture) directing him to conduct an enquiry. Same was again reiterated on 27.10.2014.

5] Learned AGP submits that disputed questions of fact are involved in the present matter and as such, writ petition may not be entertained.

6] There appears communication amongst the authorities. Considering the above, it would not be possible for this Court to decide the contentions of the parties on merit. It appears that petitioner No.3 has already given a representation in that regard. The concerned authority shall decide the said representation, in case the same is pending before him, on its own merit, expeditiously and preferably within a period of 8 months. The petitioners may give information as may be sought by the authority. Writ petition is accordingly disposed of. No costs.

[K.K. SONAWANE]
JUDGE

[S.V. GANGAPURWALA]
JUDGE.

grt/-