

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 213 OF 2013

Vikrant Chandrahas Tawade. ... Petitioner.
V/s.
The Municipal Corporation of City of Thane
and others. ... Respondents.

Kishore Patil for the petitioner.
N.R.Bubna for respondent No.1.
A.B.Vagyani, Govt.Pleader with N.M.Pable,AGP for respt.Nos.2 & 3.

**CORAM : DR.MANJULA CHELLUR, C.J.
AND M.S.SONAK, J.**

DATE : 21st November 2016.

P.C. :

The present Public Interest Litigation (PIL) was filed seeking a direction against the Government to create a welfare fund for the labour class, especially the construction workers. It is placed on record that a huge amount of more than Rs.2,289 crore was collected and deposited in fixed deposits with the nationalized bank and the scheme was framed under the Building and Other Construction Workers (Regulation of Employment and Conditions of Services) Act, 1996 ("Act of 1996" for short). It is also brought to

our notice that the claims are made for disbursement of the amount, in terms of the scheme framed, by the persons who are not at all genuine construction workers or other workers. In the light of the provisions of the Act of 1996 we are assured that the procedure is contemplated how to identify the genuine worker who is entitled to get the monetary benefit under the said scheme. In the light of such scheme being framed, we expect the authority, who is in-charge of the scheme, to strictly implement the guidelines meant under the scheme so that no fraud is played on the authority to gain monetary benefit in terms of the claim. If reckless assessment or callous action is undertaken, the genuine workers will be neglected and the manipulative and active persons would get the benefit who are, in fact, not at all entitled to such benefit.

2. In the above circumstances, since collection of amount for the implementation of the scheme is already floated, we are of the opinion that nothing remains to be considered in this petition. Accordingly, the petition is disposed of.

(M.S.SONAK, J.)

CHIEF JUSTICE