

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.4559/2016

Gajanan Maroti Jivtode and others

...Versus...

State of Maharashtra, through its Principal Secretary, Department of Industry,
Energy and Labour, Mantralaya, Mumbai 32 and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.Y. Deopujari, Advocate for petitioners
Mrs. G.R. Tiwari, AGP for respondent nos.1 and 4
Ms Sonia Gajbhiye, Adv. h/f Shri S.R. Narnaware, Adv. for respondent nos.2 and 3

CORAM : SMT. VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATE : 24.11.2016

Heard.

The learned Counsel for the respondents raises a preliminary objection to the tenability of the writ petition. It is stated that an alternate remedy for compensation is available to the petitioners. It is stated that instead of availing alternate remedy, the petitioners have rushed to this Court and are seeking a blanket order against the respondents to grant compensation, as per the Government Resolutions.

We uphold the preliminary objection raised on behalf of the respondents. When the petitioners are entitled to ventilate their grievance in regard to the inadequacy of compensation before the appropriate authority, they cannot be permitted to

approach this Court for a direction to the respondents to pay the compensation, as per the Government Resolutions mentioned in the writ petition. It would be for the petitioners to point out the Government Resolutions, if so advised, before the appropriate authority.

The writ petition is dismissed with no order as to costs. The points raised in the petition are kept open.

JUDGE

JUDGE

Wadkar