

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

WRIT PETITION NO. 3331/2015.

Bhartiya Cement Mazdoor Sangh, Chandrapur.

-VERSUS-

State of Maharashtra and 5 others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

**CORAM : B.P. DHARMADHIKARI
& P.N. DESHMUKH, JJ.**

DATE : APRIL 16, 2016.

Heard Shri N.D. Thombre, learned Counsel
for the petitioner, Shri Fulzele, learned Addl. G.P. for
respondent nos. 1,4 and 6 and Shri S.P. Bhandarkar,
learned Counsel for respondent nos.2 and 3 for some
time.

2. Petitioner is a Union, which seeks
intervention of the State Government to protect their
employment with respondent no.5. Respondent no.5
is a private Industry.

3. During hearing we find that the State
Government has issued a notification on 25.02.2014,
in exercise of powers under sub-section [1] of Section

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3 and sub-clause [iv] of Clause [a] of sub-section [1] of Section 4 of the Maharashtra Relief Undertakings (Special Provisions) Act, 1958. It therefore appears that the State Government has for a period of one year commencing from 25.02.2014 and ending on 24.02.2015, has suspended rights, privileges, obligations or liabilities accrued or incurred before 25.02.2014, and any remedy for enforcement thereof. All proceedings for recovery thereof have been stayed for the said period.

4. The notification itself excludes obligations or liabilities incurred in favour of workmen, dues of ESIC, liabilities under Employees Provident Fund and Miscellaneous Provisions Act, 1952 Act, Maharashtra Land Revenue Code, 1966, Maharashtra States Tax on Professions, Trade, Callings and Employment Act, 1975 and Maharashtra State Value Added Tax Act, 2002.

5. In this situation, it is apparent that day to day working of respondent no.5 cannot be supervised either by the State Government or by this Court. If the petitioner has got any grievance, after obtaining proper information, they have to invoke the

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jurisdiction of competent Court.

6. Hence, with said liberty to petitioners and without observing anything on the merits of the controversy, we dispose of the present Writ Petition. No costs.

JUDGE

JUDGE

Rgd.