

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

WRIT PETITION NO.5548 OF 2015

Bhaurao s/o Baburao Dhoran and ors.

-vs-

State of Maharashtra, Thr. its Secretary, Irrigation Dept. Mantralaya, Mumbai and ors.

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

Court's or Judge's Orders.

Shri J. S. Wankhede, Advocate for petitioner.
Shri K. L. Dharmadhikari, AGP for respondent No.1.

CORAM : A.S.CHANDURKAR, J.

DATE : JULY 07, 2016

The petitioners are aggrieved by the judgment of the Industrial Court dated 20/09/2005 thereby dismissing the complaint filed by the petitioners under Items 5 and 9 to Schedule-IV of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971. In paragraph 5 of the writ petition, it has been stated that as similarly situated employees have been granted relief of regularisation, the petitioners are also entitled for similar relief. In that regard, the petitioners have relied upon an earlier decision of the Industrial Court in complaint U.L.P. No.132 of 1993 decided on 31/08/2002. It has been stated that the aforesaid order of the Industrial Court came to be confirmed by this Court and hence the petitioners are entitled to be heard on merits.

The petitioners on the basis of parity and for seeking similar relief are relying upon the judgment of the Industrial Court dated 31/08/2002 which judgment was maintained in W.P.No.1249 of 2004 that was decided on 19/11/2005.

However, there is no explanation whatsoever on the aspect of delay and laches as to why the petitioners had not approached this Court earlier. The present writ petition has been filed on 12/08/2015. Considering the inordinate delay and unexplained laches for a period of almost ten years, I am not inclined to entertain the writ petition on merits. The writ petition is therefore dismissed. No costs.

JUDGE