

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.2770 OF 2002

1 The State of Maharashtra.
Through
The Plantation Officer,
Social Forestry, Amalner,
District Jalgaon.

2 The Deputy Director,
Social Forestry, Jalgaon.

...PETITIONERS

-VERSUS-

Youraj Pundlik Patil,
Age : 35 years, Occupation : Service,
R/o At Dhar, Taluka Amalner,
District Jalgaon.

...RESPONDENT

...
Shri N.T.Bhagat, AGP, for the Petitioners/ State.

...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 12th May, 2017

Oral Judgment :

1 The Petitioners are aggrieved by the judgment dated 10.04.2002 delivered by the Industrial Court, Jalgaon by which Complaint (ULP) No.1211/1999 (old No.720/1996) has been partly allowed. The Petitioners are directed to pay the difference of wages and terminal

benefits for the period August, 1996 to 31.03.1999.

2 While admitting this petition on 06.08.2002, this Court refused the interim relief to the Petitioners and observed that the amount, if paid to the Respondent, will be subject to the result of this petition. The Respondent has filed an undertaking on 22.01.2003.

3 The learned AGP has strenuously criticized the impugned judgment and has prayed that the same be quashed and set aside.

4 None has appeared for the Respondent.

5 I have considered the submissions of the learned AGP and have gone through the petition paper book with his assistance.

6 The issue is with regard to the payment of difference amount of wages and terminal benefits. The oral and documentary evidence was adduced before the Industrial Court. The Industrial Court has considered the said evidence in extenso from paragraph 9 till paragraph 19. It was on the basis of the oral and documentary evidence that the Industrial Court concluded that the Petitioners ought to pay the difference of wages for the period August, 1996 till 31.03.1999. As the Respondent had performed

the work that was done by the permanent employees, the Industrial Court concluded that he needs to be paid the same amount of wages as the permanent employees were being paid.

7 The learned AGP submits that by the Demand Draft dated 12.12.2002 an amount of Rs.69,344/- was deposited in this Court and the said amount has been withdrawn by the Respondent pursuant to the order dated 01.04.2003 passed by this Court in Civil Application No.2128/2003.

8 In the light of the above, this Writ Petition being devoid of merit is, therefore, dismissed. Rule is discharged.

kps

(RAVINDRA V. GHUGE, J.)