

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3761 OF 2017

BALU KAUTIK KHAIRE DIED LRS SANGITA BALU KHAIRE
VERSUS
THE STATE OF MAHARASHTR AND OTHERS

...
Advocate for Petitioner : Shri Barde Parag Vijay
AGP for Respondents: Shri Shinde B.A.
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CORAM : RAVINDRA V. GHUGE, J.
Dated: November 22, 2017
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PER COURT :-

1. The petitioner is aggrieved by the judgment dated 22.7.2016, delivered by the Industrial Court, Ahmednagar in Complaint (ULP) No.85 of 2013, by which, he was deprived of the benefits of the Time Bound Promotion Scheme and Assured Progress Scheme.

2. I have considered the strenuous submissions of Shri Barde, learned Advocate for the petitioner and the learned AGP. Shri Barde has criticized the impugned judgment and contends that the same is perverse and erroneous. He relies upon the seven grounds formulated by him in the memo of the petition.

3. In identical set of facts, concerning identically situated employees in the matter Writ Petition No. 11452 of 2016 (Commissioner, Animal Husbandry, Maharashtra Vs. Ranganath) and connected group of Writ Petitions, this Court has delivered a judgment on 7.12.2016 and has concluded that the employees as like the respondent herein are not entitled for the benefits of the said scheme. As such, these petitions were allowed and the judgments of the Industrial Court in favour of those respondents / workmen were quashed and set aside. Review Petition Nos.57 to 69 of 2017 filed by the workers were dismissed by this Court by order dated 20.11.2017.

4. Considering the above, I am inclined to pass the same order as was passed in the group of Writ Petitions, decided on 7.12.2016.

5. Hence, the petition is allowed. The impugned judgment dated 22.7.2016, being perverse and erroneous, is quashed and set aside. Complaint (ULP) No. 85 of 2013 stands dismissed.

6. As the respondent desires to make a representation to the State Government, in the event such representation is made, the

State Government would be at liberty to deal with the same in accordance with the Government Resolution and policies.

(RAVINDRA V. GHUGE, J.)

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