

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 6748 OF 2014

Nasik Mahanagarpalika Shramik Sangh	}	Petitioner
versus		
State of Maharashtra and Ors.	}	Respondents

**WITH
WRIT PETITION NO. 5055 OF 2016**

Mr. Bhavesh Parmar i/b. Mr. Devmani
Shukla for the petitioner in
WP/6748/2014.

Mr. Pawar-AGP for respondent nos. 1 to 5.

Mr. Murlidhar L. Patil for respondent no.6.

**CORAM :- S. C. DHARMADHIKARI &
SMT. BHARATI H. DANGRE, JJ.**

DATED :- NOVEMBER 8, 2017

P.C. :-

1. The learned AGP tenders an affidavit in reply of the Assistant Commissioner of Labour, Nashik. The Assistant Commissioner, while dealing with the averments and allegations in the petition, namely, Writ Petition No. 6748 of 2014, makes a solemn statement that the procedure under the Contract Labour (Regulation and Abolition) Act, 1970 has been completed. It came to the notice of the competent authority that the sixth respondent-Nashik Municipal Corporation had obtained the registration certificate under section 7 of this Act, but it

was issued on some terms and conditions. The Nashik Municipal Corporation allegedly violated certain conditions of this registration certificate and as a result of which, the competent authority (respondent no. 5) issued a show-cause notice to the Municipal Corporation on 7th March, 2011. After following the procedure as per section 8 of the Act and the Rules framed thereunder, the fifth respondent, in turn, made a recommendation/proposal along with letter dated 2nd June, 2011 to the Commissioner of Labour, State of Maharashtra. There were proposals with recommendations to the third respondent, forwarded on 2nd August, 2011. Thus, the request was to revoke this registration certificate. The deponent states that after the procedure was followed, the State Government has granted approval for revoking the registration certificate and that is how the registration has been revoked by order dated 1st January, 2016.

2. Being satisfied with all these statements made, Mr. Parmar appearing for the petitioner states that the Nashik Mahanagarpalika Shramik Sangh does not wish to press this petition any further. Hence, accepting the statement of Mr. Parmar, Writ Petition No. 6748 of 2014 is disposed of, but by clarifying that this court has not expressed any opinion on the legality and validity of the communication/order dated 1st January, 2016 of the State Government and which is under challenge in Writ Petition No. 5055 of 2016 filed by the Nashik Municipal Corporation. All contentions of all parties to that petition are kept open. We also do not foreclose the remedy of the petitioner-

Nashik Mahanagarpalika Shramik Sangh to move appropriate application seeking intervention in Writ Petition No. 5055 of 2016.

3. We post Writ Petition No. 5055 of 2016 to 7th December, 2017.

(SMT. BHARATI H. DANGRE, J.)

(S.C.DHARMADHIKARI, J.)