

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10571 of 2017.

Kokan Shramik Sangh	 Petitioner.
V/s.	
The Commissioner Kokan Division & Ors	 Respondents.

Mr. Indrajeet R. Kulkarni for the Petitioner.

None for the Respondent.

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

DATE : 9th OCTOBER, 2017.

P.C. :

1 We have heard Mr. Kulkarni, learned Advocate appearing for the petitioner- Union.

2 The petitioner-Union has filed this petition seeking a direction to respondent No.1 to grant permanency benefits to its members who are Safai Kamgars, according to the petitioner.

3 Admittedly, the first respondent is the Commissioner, Kokan Division, Government of Maharashtra, the Authority under the Contract Labour (Regulation and Abolition) Act, 1970 (for short, “Contract Labour Act”) and the fourth respondent is the State.

4 Apart from the fact that this is an appointment under the State Government, what we find is that the petitioner has multiple remedies, if it desires to espouse the cause of these aggrieved workmen. Besides the workmen themselves who can approach the Maharashtra Administrative Tribunal, the petitioner-Union can take up their cause and request the Government to intervene either by taking steps under the Contract Labour Act, 1970, or the grievance of the petitioner-Union with regard to these workers could be referred to for adjudication of a competent Tribunal in terms of the powers conferred in the appropriate Government under the Industrial Disputes Act, 1947.

5 We do not know how on a disputed issue can the Union approach this Court under the writ jurisdiction and seek the direction as above.

6 The petition is therefore dismissed by keeping all remedies open to the petitioner.

[SMT.BHARATI H.DANGRE, J.]

[S.C. DHARMADHIKARI, J.]