

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

924 CIVIL APPLICATION NO. 820 OF 2018
IN WP/2871/2015

RAMESH RANGNATH NAJAN DIED LRS ALKA RAMESH NAJAN AND
OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicants : Mr. Barde Parag Vijay
AGP for Respondents 1 to 4 : Mr. A.P.Basarkar
Advocate for Respondent no.5 : Mr.M.M. Patil Beedkar

CORAM : S.V.GANGAPURWALA
AND
SUNIL K.KOTWAL, JJ.

DATE : JULY 13, 2018

O R D E R :

The applicants seek direction against respondent no.5 to forward information of applicants in regard to temporary employment from 1993-2000 to respondent nos. 1 to 4 as per the chart annexed to the petition as Annexure 'A'.

2. It is submitted that the State Government has sought for the information from respondent no.5 regarding the daily wage employees/temporary employees.

3. According to the applicants, the Industrial Court has delivered a judgment and has held the employees to be the employees of the Municipal Council.

4. According to the learned counsel the Municipal Council, the judgment of the Industrial Court is assailed before this Court by filing Writ Petition. Same is admitted and is pending. It is further submitted that the proposal was forwarded in March, 2012 for regularization as per the directions of the Industrial Court under protest. Same is turned down.

5. Subsequently, under the communication, dated 26.9.2017 the Directorate of Municipal Administration has sought the information from the Municipal Council about the daily wage employees working with the Municipal Council since 11.3.1993 to 27.3.2000. The Municipal Council has provided the information to the effect that there were no daily wage employees.

6. The order of the Industrial Court is in force, though it is assailed before this Court. Stay is not granted to the judgment of the Industrial Court. The Municipal Council shall forward the names of the persons as per the judgment of the Industrial Court to the State Government with regard to the employment. It may also separately issue a note regarding pendency of the Writ Petition, however, in view of the judgment of the Industrial Court in force today, the Municipal Council is supposed to forward the information as sought for by the State in tune with the judgment of the Industrial Court. The same

shall be forwarded within a period of four weeks.

7. Civil Application is disposed of.

[SUNIL K.KOTWAL, J.] [S.V.GANGAPURWALA, J.]

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