

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

WRIT PETITION NO.8243 OF 2015

Shashkiya Dhanya Godam Hamal
Panchayat, Beed, Taluka and District
Beed, through its Joint President
Rajkumar Devidasrao Ghayal ..Petitioner

Versus

The State of Maharashtra
through Secretary,
Department of Food and Civil Supplies,
Mantralaya, Mumbai and ors. ..Respondents

Mr P.C. Mayure, Advocate for petitioner
Mr P.S. Patil, A.G.P. for respondents no.1 to 4
Mr K.J. Ghute Patil, Advocate for respondent no.5

**CORAM : S.V. GANGAPURWALA &
A.M. DHAVAL, JJ**

DATE : 10th April 2018

PER COURT

1. The petitioner is a registered union of Hamal and Mathadi workers. The learned Counsel for the petitioner submits that the petitioner had made representation on 9.2.2015 in respect of their remuneration from August 2012. Further representations were made to the effect that the remuneration be paid to the Hamal and Mathadi workers as per the rates fixed by the Mathadi board and it is the liability of the Collector as a principal employer to get the amount deposited from the contractor or else, its office shall deposit it. According to the learned Counsel for the petitioner, the contractor did not deposit the amount of remuneration of levy. In view of that the Collector should deposit the amount with Mathadi board. The learned Counsel relies on the Government Resolution dated 6.8.2011, more particularly, clause 15 and clause 17.

2. We have heard the learned A.G.P. for respondents no.1 to 4 and learned Counsel Mr Ghute for respondent no.5.
3. The petitioner has already moved the Collector. As per the Government Resolution dated 6.8.2011, the Collector has to take steps with regard to deposit of the levy amount. The Collector and the Mathadi board are required to consider the rates fixed by the Mathadi board and recover the amount as per the said rates commensurate with the work done.
4. As the petitioner has already moved the Collector, the Mathadi board and the Collector shall consider the claim of the petitioner with regard to the deposit of the amount of levy as per the rates fixed by the Mathadi board and if the same is not paid by the contractor, shall take further steps to collect and pay the amount to the Mathadi workers. The steps shall be taken within six months.
5. Writ Petition disposed of. No costs.

(A.M. DHAVAL, J.)

(S.V. GANGAPURWALA, J.)

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