

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

WRIT PETITION NO. 6391 OF 2003

The Van Parikshetra Adhikari Karnala Abhayaranya Karnala, Raigad	...Petitioner
Vs.	
Shri Ganesh Gotiram Jadhav	...Respondent

WITH
WRIT PETITION NO. 6390 OF 2003

The Van Parikshetra Adhikari Karnala Abhayaranya Karnala, Raigad	...Petitioner
Vs.	
Shri Pravin Padmakar Shetye	...Respondent

WITH
WRIT PETITION NO. 6392 OF 2003

The Van Parikshetra Adhikari Karnala Abhayaranya Karnala, Raigad	...Petitioner
Vs.	
Shri Vijay Namdeo Kanade	...Respondent

WITH
WRIT PETITION NO. 6393 OF 2003

The Van Parikshetra Adhikari Karnala Abhayaranya Karnala, Raigad	...Petitioner
Vs.	
Shri Devidas Bhagwan Kilanje	...Respondent

Ms.Vaishali Nimbalkar, AGP for Petitioner.
Mr.Pradeep Pandurang Chavan, Range Forest Officer, Karnala Bird
Sanctuary, Thane Wildlife Division.

CORAM : S.C. GUPTE, J.

DATE : 12 JULY 2018

P.C. :

These four petitions challenge awards passed in favour of the respective Respondents in references made at their instance. The Respondent workmen claim to be working on daily wages continuously since the date of their respective employments and that they had completed 240 days of service in each year of employment with the Petitioner employer. Their oral terminations were challenged by them and accordingly, these references came to be made and awards came to be delivered. The awards are challenged by the State through the Department of Forest.

2 Learned AGP points out to the court that by a Government Resolution dated 16 October 2012 passed during the pendency of these petitions, the State Government decided to regularise services of daily wage workers working with the Forest Department and who had completed more than five years of service during the period 1 November 1994 to 30 June 2004. About 6546 workers were, accordingly, to be regularised. In accordance with this resolution, the Government sanctioned 5089 permanent posts. The Respondents were, accordingly, addressed communications by the State through the Forest Department on 5 August 2013 offering to regularise them subject to conditions mentioned in the G.R. of 16 October 2012. Affidavits were called for from the Respondent workmen accepting the conditions of G.R. of 16 October 2012. The Respondents have filed their respective affidavits accepting the terms and conditions of the G.R. and offering not to claim any backwages, if their services were regularised in accordance with the G.R. of 16 October 2012. Based on these affidavits, the Respondents have already been reinstated

with continuity of service, though without backwages. The petitions, accordingly, are disposed of by accepting the State's action referred to above as in full compliance with the awards of the Labour Court.

(S.C. GUPTE, J.)