

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 3041 OF 2018

(Yuva Jagruti Seva Sahakari Sanstha thr. its Secretary Ajaykumar Subhashrao Hiwanj vs. The State of Maharashtra thr. its Secretary, Employment and Self Employment Department & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's Orders.

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
Z.A. HAQ, JJ.
JUNE 29, 2018.**

Heard Shri F.I. Khan, learned counsel for the petitioner, Ms. M.A. Barabde, learned AGP for respondent No. 1 and Shri Jayant Mokadam, learned counsel for respondent No. 2.

2. The terms and conditions of Tender expressly require the petitioner to possess license under Contract Labour (Regulation and Abolition) Act, 1970. The petitioner does not possess it. The contention that as the petitioner is in this field since 12 years, is not required by law to possess such license, is misconceived.

3. Condition No. 2 in the Tender notice contemplates annual turnover of Rupees one crore from Driver service / facility management. The condition No. 7 is referring to Registration Certificate under the Employees Provident Fund Act and condition No. 8 refers to Registration under Employees State Insurance Act. There is no challenge to these terms and conditions.

4. The petitioner has participated in tender process and thereafter has attempted to turn around to question

only condition No. 6 regarding license from Labour Commissioner to employ contract labour under the Contract Labour (Regulation and Abolition) Act.

5. We, therefore, find the grievance misconceived. Hence, the present petition is rejected. No order as to costs.

JUDGE

JUDGE

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