

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

**930 WRIT PETITION NO.10603 OF 2019 WITH
931 WRIT PETITION NO.10604 OF 2019 WITH
932 WRIT PETITION NO.10605 OF 2019 WITH
933 WRIT PETITION NO.10606 OF 2019 WITH
934 WRIT PETITION NO.10607 OF 2019 WITH
935 WRIT PETITION NO.10608 OF 2019 AND
936 WRIT PETITION NO.10610 OF 2019**

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**THE COMMISSIONER OF AGRICULTURE, STATE OF
MAHARASHTRA AND OTHERS
VERSUS
MARATHWADA SARVA SHRAMIK SANGHATANA THROUGH
ITS JOINT SECRETARY AND ANOTHER**

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**AGPs for the Petitioners : Shri S. R. Yadav – Lonikar,
Shri N. T. Bhagat and
Shri S. W. Munde
Advocate for Respondent Nos. 1 and 2 : Shri P. V. Barde**

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 04th OCTOBER, 2019.

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PER COURT :

1. I have heard the learned AGP for the petitioners and the learned Advocate on behalf of the respondents who were original complainants.

2. In identical Writ Petition No. 6152/2019, decided on

12/07/2019 and Writ Petition No. 8315/2018 to 8317/2018 and 8323/2018, 8325/2018 8328/2018, 9398/2018, 8400/2018 decided on 04/09/2018, this Court has partly allowed those petitions filed by these petitioners, wherein the rate of interest granted @ 10% per annum, was reduced to 6 % per annum. In all these cases, the rate of interest is @ 10 % per annum.

3. In view of the above, all these petitions are partly allowed only to the extent of reducing the interest component granted by the Labour Court from 10 % per annum to 6 % per annum.

4. In view of the above, I am passing the same order as was passed in the earlier set of petitions by reproducing paragraph Nos. 11 and 12 of the order dated 04/09/2018, as under :-

"11. Considering the above and in view of the settled position of law that if regularization is not possible, daily wagers would be entitled to a daily wage at the rate of 1/26th of the salary paid to regular permanent employees who performed the same nature of work.

12. In view of the above and considering the crystalized position of law and at the same time, relying upon the judgment of this Court in Sumanbai (supra) and a similar judgment dated 08th November, 2001, delivered by this Court in Writ Petition No. 2416/2001 and group of petitions, I do not find that the Labour Court has committed any error in partly allowing the applications filed by these workers."

5. These petitions are, therefore, partly allowed only to the extent of reducing the interest from 10 % per annum to 6 % per annum.

(RAVINDRA V. GHUGE, J.)

shp/-