

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

904 WRIT PETITION NO.6009 OF 2019

GEETA YOHAN DETHE
VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr Barde Parag Vijay
AGP for Respondents: Mr. P. S. Patil

CORAM : ANIL S. KILOR, J.

DATE : 30th August, 2019

ORDER:

1. This petition is filed by an employee working under respondent nos. 1 and 2 claiming permanency on completion of 240 days service and her complaint relating to unfair labour practices under Items 5, 6, 9 and 10 of Schedule IV of the MRTU & PULP Act has been rejected by the Industrial Court, Ahmednagar.

2. Shri Barde, learned counsel for the petitioner points out that the petitioner worked for 240 days in each year since 2007 in the establishment of respondent no.2 and therefore, she is entitled for permanency. The learned counsel further argues that the judgment and order passed by the Industrial Court is bad in law since the industrial Court failed to consider the evidence, oral as well documentary, produced by the petitioner and therefore, the learned counsel for the petitioner prays

for quashing and setting aside the order dated 09.07.2018 impugned in the present petition.

3. Per contra, Mr. Patil, learned AGP for the respondents-State pointed out the findings given by the learned industrial Court wherein, the Industrial Court has observed that the working under the M.G.E.G. Scheme cannot be considered for permanency. On a specific question put by the Court in this relation to the learned counsel for the petitioner, he fairly admits the said fact and in view of the said admission, the reasoning given by the Industrial Court found to be proper and needs no interference. Hence the petition is dismissed. No order as to costs.

(ANIL S. KILOR, J.)

JPC