

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5203 OF 2019

1. Mrs. Sangeeta Vikas Chachale & Ors. ... Petitioner.
V/s.
1. Asstt. Election Commission Office & Ors. ... Respondent.

Mr. Kranti L.C., for the petitioners.

Mr. Pradeep Rajagopal a/w Ms. Drishti Shah for the respondent nos.1 and 5.

Ms. Shilpa Kapil and Gul Asnani for the respondent no.3.

Mr. Y.S. Khochare, AGP the respondent/State.

CORAM : A.S.OKA AND M.S.KARNIK, JJ.

DATE : 24th April, 2019

PC.:

1 The Learned Counsel appearing for the fifth Respondent states that those members (Anganwadi workers) of the Petitioner no. 3, who report to election duties for the ensuing election of Loksabha will be paid a sum of Rs.250/- per day for attending training session and a sum of Rs. 250/- per day for attending the Election duty. He states that on the date of election and on the immediately earlier day, either lunch will be provided to them or a sum of Rs.150/- will be paid to them in lieu of lunch. On instructions, he states that these are the amounts payable to the Polling Officers across the State. He further states that the Anganwadi workers who are the members of the petitioner no.3 will be paid the aforesaid amounts for attending the training sessions and for attending the duty on the date of polling. He states that without going into the merits of the

issues raised in the petition, considering the fact that election dates are approaching very fast, no coercive action will be taken against the members of the petitioner, who do not report for the polling duty. We accept the aforesaid statements made on instructions.

2 The Learned Counsel appearing for the Respondent-State states that some of the members of the petitioner had attended the training on two dates. In view of the aforesaid statements which we have accepted, at this stage it is not necessary to entertain the Writ Petition on merits. It is obvious that the Anganwadi workers who have undergone the training are free to report to election duty on 28.04.2019 and 29.04.2019. If they report to the duty they will be entitled to remuneration as recorded above.

3 Considering the aforesaid statements, at this stage, as the election is around the corner, we are not entertaining this petition on merits. Accordingly, by accepting the statements, the Writ Petition is disposed of. However, the issues which are raised in the petition are kept open.

(M.S.KARNIK, J.)

(A.S.OKA, J.)