

Amk

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 896 OF 2001

Nandkishor Ramrao Goley .. Petitioner
Vs.
President/Secretary
Mumbai Pradesh Arya Vidya Sabha & Ors. .. Respondents

Ms. Devyani Kulkarni I/b Mihir Desai for the Petitioner.
Ms. Sanupama Shah a/w. Ms. Meetali Shah for Respondent Nos.1 & 2.
Mr. G. W. Mattos, AGP for the Respondent-State.

CORAM : PRADEEP NANDRAJOG, C.J. &
N. M. JAMDAR, J.
DATE : 4th JUNE, 2019.

P. C. :

1. Issue raised in the Writ Petition would require the Court to decide the question whether employees of private Industrial Training institute would be entitled to salary in the pay scale of employees of Industrial Training Institute established by the Central Government. The Petitioner was employed as an Inspector by the 2nd Respondent which is a non aided ITI. No umbrella legislation has been pleaded in the Writ Petition. The claim is on historical parity. The other issue which would arise is whether a writ would be maintainable against a private Respondent without pleading any statutory or legal duty cast upon the private Respondent.

2. Learned Counsel for the Respondent No. 2 states that 2nd Respondent was closed in the year 2010. Learned Counsel for the Petitioner pleads no instructions.

3. Under the circumstances, the Writ Petition is dismissed for non prosecution.

[N. M. JAMDAR, J.]

[CHIEF JUSTICE]