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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 7372 OF 2016

Shivalasha Mathadi, Transport and
General Kamgar Union

..Petitioner

vs.

Satara Mathadi and Unprotected
Labour Board, & ors.

..Respondents

.....

Mr. M.S. Topkar for petitioner.

Mr. Shailesh Pathak for respondent No.1

Mr. Avinash Jalisatgi for respondent No.3.

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**CORAM : NITIN JAMDAR &
M.S.KARNIK, JJ.**

DATE : 7 FEBRUARY 2020

P.C.:-

Heard learned counsel for the parties.

2. The limited grievance made by the members of the Petitioner is that their application dated 18 January 2013 for registration made stating that they are working as Mathadi Workers and that should be given forms for registration is not considered by the Respondent – Board.

3. The entitlement of the members of the Petitioner for registration and their allotment to Respondent – Employment is being disputed by the Respondents. Learned counsel for the Petitioner submits that the members of the Petitioner have not even been given registration forms.

4. The Scheme titled “The Satara District Mathadi, Hamal and Other Manual Workers (Regulation of Employment and Welfare) Scheme, 1991 framed under the Maharashtra Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare) Act, 1969 lays down a procedure in respect of the registration of existing and new workers. Clause 15 deals with these contingencies. Therefore registration or otherwise of the members of the Petitioner is entrusted to the Respondent – Board, who will have to take decision thereon. We have not been shown any decision taken by the Respondent – Board.

5. In these circumstances, we direct the Respondent – Board to furnish the registration forms to the members of the Petitioner. The members of the Petitioner will submit these forms in the light of their averments made in this Petition. The Respondent – Board will take decision thereon.

6. We make it clear that we have not looked into the larger controversy raised in the Petition and the Respondent – Board will

act as per the clauses of the Scheme in respect of the registration or otherwise of the members of the Petitioner.

7. Though the members of the Respondent No.3 have not filed a separate Petition, since the application of the members of the Respondent No.3 which is pending, arises from the same controversy, it would be in the interest of the justice that the Respondent – Board decide the application of the members of the Respondent No.3 as well on its own merits.

8. The Respondent – Board to communicate the decisions on these applications to both the members of the Petitioner and the members of the Respondent No.3 within a period of 12 weeks from today.

9. With these observations, the Writ Petition is disposed of.

(M.S.KARNIK, J.)

(NITIN JAMDAR, J.)