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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 6596 OF 2019

Pritam Kiran Gharat ... Petitioner
Vs.
The State of Maharashtra & Ors. ... Respondents

Mr. Manoj Bhatt, for the Petitioner.
Mr. Y. D. Patil, AGP for Respondent Nos. 1 and 2.
Mr. Sarthak Diwan i/b A. M. Kulkarni, for Respondent No. 4 -CIDCO.
Mr. P. B. Surve, Administrative Officer – Present.

CORAM : C. V. BHADANG, J.

DATE : MARCH 4, 2020

PC :

1. Rule. Rule made returnable forthwith. Learned AGP waives notice for Respondent Nos. 1 and 2; the learned advocate Mr. Sarthak Diwan waives notice for Respondent No. 4. By consent of parties, petition is taken up for final disposal.

2. The challenge in this petition is to the order dated 5th March, 2019 passed by Respondent No. 3 refusing to grant a certificate as “Working Journalist” in favour of the Petitioner as per the provisions of the Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (for short “Working Journalists Act”).

3. *Prima facie* it appears that as per the certificate dated 15th April, 2013 issued by the Chief Editor of “Ajachi Navi Mumbai” the

Petitioner is designated as a “Proof Reader-cum-Page Designer”. *Prima facie* it appears that a “Proof Reader” is included in the definition of “Working Journalist” as per the provisions of the said Act. It appears that application filed by the Petitioner on 12th November, 2018 has been dismissed only on the ground that the Petitioner is also designated as a “Page Designer”. In my considered view, it would be appropriate if the third respondent reconsiders the Petitioner’s application afresh on its own merits and in accordance with law, in the context of the definition of the “Working Journalist” under the Working Journalists Act.

4. In that view of the matter, the petition is partly allowed. The impugned order is hereby set aside. The application dated 12th November, 2018 filed by the Petitioner is remitted to the third respondent for deciding it afresh on its own merits and in accordance with law.

5. The petitioner to remain present before the third respondent on 16th March, 2020. The third respondent shall decide the application on its own merits and in accordance with law within a period of eight weeks thereafter i.e. on or before 11th May, 2020.

6. The ad-interim relief granted by this Court on 11th October, 2019, directing that the flat allotted to the Petitioner shall not be allotted to anyone else, shall continue till 11th May, 2020.

. Rule is partly made absolute in the aforesaid terms, with no order as to costs.

Sd/-
C. V. BHADANG, J.