

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5461 OF 2022

Shetkari Shetmajur Panchayat

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr. A. N. Sabnis, Advocate holding for Mr. V. D. Gunale, Advocate for the petitioner.

Mr. A. R. Kale, AGP for respondent/State.

**CORAM : RAVINDRA V. GHUGE &
ANIL L. PANSARE, JJ.**

DATE : 30th JUNE, 2022.

PER COURT :

1. The petitioner has put forth prayer clauses 'A' and 'B' which read as under :-

A) By issuance of writ of mandamus or any other appropriate writ, order or direction in the nature of writ, the Hon'ble High Court may be please to direct the respondents to make the payments of minimum wages and special pay to the members of the petitioner trade union along with arrears and interest payable thereon expeditiously and issue appropriate order for the said purpose.

B) Pending hearing and final disposal of the present writ petition, the Hon'ble High Court may please be direct the respondents to make the payments of minimum wages and special pay to the members of the petitioner trade union along with arrears and interest payable thereon expeditiously and issue appropriate order for the said purpose.

2. The above prayers are clearly within the realm of the Industrial Court under the MRTP and PULP Act, 1971, or under Section 2(k) of the Industrial Disputes Act, before the Assistant Commissioner, Latur, who is the Conciliation Officer. If the conciliation proceedings fail, the matter can be referred to the Industrial Tribunal.

3. We find that the above stated remedies are efficacious since the parties are permitted to lead evidence and the issue as regards disputed question of payment of minimum wages in accordance with the schedule, can also be gone into.

4. In view of the above, this petition is disposed off. Since the non-payment of minimum wages is a continuous cause of action, limitation would not apply.

(ANIL L. PANSARE)
Judge

(RAVINDRA V. GHUGE)
Judge

dyb