

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.7186 OF 2022

**OMPRAKASH GIRDHARILAL JAISWAL
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE
SECRETARY AND OTHERS**

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Advocate for the Petitioner : Shri Bhumkar R.P.
AGP for Respondent 1/ State : Shri S.G. Sangle

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

DATE :- 14th July, 2022

Per Court :-

1. The petitioner is Mistri- Grade-II falling within the definition of “workman” under Section 2(s) of the Industrial Disputes Act, 1947. He alleges violation of the seniority list at the hands of the Zilla Parishad, which is an “industry” under Section 2(j). He is also alleging manipulation of the seniority list by which, the seniority of the petitioner has been surreptitiously disturbed by the Chief Executive Officer. It is also alleged that junior persons have been granted promotion and the petitioner has been superseded by manipulation of the seniority list.

2. We are of the view that these disputed questions can

be advantageously gone into by the Industrial Court under the MRTU & PULP Act, 1971.

3. In view of the above, this Writ Petition is disposed off with liberty to the petitioner to avail of the said remedy.

kps

(ANIL L. PANSARE, J.)

(RAVINDRA V. GHUGE, J.)