

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8368 OF 2022

S. T. CANTEEN AND STALLDHARAK WELFARE
ASSOCIATION THROUGH CHAIRMAN / PRESIDENT RAM
BABURAO HARAL

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND OTHERS
(Board dt.17.08.2022)

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Advocate for the Petitioners : Shri J.M. Murkute
AGP for the Respondents/State : Shri P.K. Lakhotiya
Advocate for Respondents 2 and 3 : Shri A.D. Wange

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CORAM : RAVINDRA V. GHUGE
&
ARUN R. PEDNEKER, JJ.

DATE :- 19th August, 2022

Per Court :-

1. The petitioner association has put forth prayer
clauses B and C as under :-

“B) *Issue writ of mandamus against the respondents forbearing them from demanding the license fee to all the license holders situated in the premises of Bus Stands run by MSRTC for the complete lockdown period from 24.03.2020 to 06.09.2020, and thereafter for two months.*

C) *Issue writ of mandamus against the respondents forbearing them from demanding the license fee to all the license holders situated*

*in the premises of Bus Stands run by MSRTC
for the period from 27.10.2021 to 22.04.2022
i.e. the strike period of employees of MSRTC.”*

2. We have perused the order passed by this Court at the Principal Seat dated 22.06.2022 in Writ Petition (Lodging) No.160/2022 and nine other petitions, filed by ***ST Canteen and Stall Welfare Association, Maharashtra and others vs. Maharashtra State Road Transport Corporation***, wherein, the governing council of the MSRTC is called upon to consider the representation of the association.

3. In view of the above, we requested the learned advocate Shri Wange to represent the respondents/MSRTC since we intended to pass the same order.

4. In view of the above, this Writ Petition is disposed off.

5. The representation dated 31.03.2022 addressed to the Vice Chairman-cum-Managing Director, MSRTC, be considered by the Governing Council in the light of the order passed at the Principal Seat, dated 22.06.2022. In the event, the Governing Council has already taken a decision, our order will lose its efficacy and the representation of the petitioner would

stand disposed off. The decision of the governing council would apply to all such associations all over the State of Maharashtra.

kps (ARUN R. PEDNEKER, J.) (RAVINDRA V. GHUGE, J.)