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

13 WRIT PETITION NO.3409 OF 2022

**SHANKAR MAHADEO GUNJAL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

....
Mr S. P. Salgar, Advocate h/f Mr N. V. Gaware, Advocate for
petitioners;
Mr A. R. Kale, A.G.P. for respondents/State

**CORAM : RAVINDRA V. GHUGE
AND
ARUN R. PEDNEKER, JJ.**

DATE : 3rd October, 2022

PER COURT:

1. The petitioners were before the Industrial Court in Complaint (ULP) No.37/1984 and connected matters, which were decided by a Judgment. The Judgment of the Industrial Court was sustained by this Court, as well as, by the Hon'ble Supreme Court in Civil Appeal No.4375/1990, vide the Judgment dated 06/12/1995.
2. By this petition, the petitioners are praying for arrears of pay by applying the scheme of 'equal work for equal pay'
3. Needless to state, while establishing a case of parity in wages for equal work, the petitioners have to lead oral and

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documentary evidence to bring forth details as regards the comparable workers and the similarity in the nature of duties and then seek quantification of difference in wages on the principle of 'equal wages for equal work'.

4. The learned Advocate for the petitioners sought a pass over and submits on instructions after lunch recess that, the petitioners would espouse their cause before the Industrial Court, considering that it is a recurring cause of action. Some of them have superannuated.

5. In view of the above, this petition stands disposed off, with liberty to the petitioners to avail of a remedy before the Industrial Court, under the provisions of Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)

sjk