

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

WRIT PETITION NO.10798 OF 2023

**RAJENDRA EKNATH AUTADE
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE
DIVISIONAL DEPUTY COMMISSIONER AND OTHERS**

...
Advocate for the Petitioner : Shri Shubham D. Jayabhar
AGP for Respondent 1/State : Shri A.V. Deshmukh
...

**CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRAGADE, JJ.**

DATE :- 01st September, 2023

Per Court :-

1. The Petitioner seeks reliefs against a private school, which has initiated disciplinary action against him on the ground that he was under the influence of alcohol while on duty. Hence, the letter is issued to him on 22.07.2023 informing that he is ordered to proceed on forced leave.

2. The Petitioner is a caretaker, who would fall within the definition of “workman”. Remedies under the Industrial Disputes Act, 1947 as well as the MRTU and PULP Act, 1971, are available to the Petitioner. His employer is not the “State”

under Article 12 of the Constitution of India.

3. In view of the above, **this Writ Petition is disposed off** with liberty to the Petitioner to avail of the remedy as may be permissible in law.

kps

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)