

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12706 OF 2022

M/s. Maharashtra Janvikas Mathadi
Transport and General Kamgar Union .. Petitioner
v/s.

The State of Maharashtra, through the
Secretary Industry Energy and Labour
Dept. and anr. .. Respondents

...

Mr. Y.B. Lengare a/w. Mr. A.K. Gaikwad, for the petitioner.

Mr. M.M. Pabale, AGP for State-Respondent no.1.

Ms. Lata Desai, Senior Advocate a/w. Dr. Pallavi Divekar and Mr. Pawan Rajput i/by. Divekar & Co., Advocate for Respondent no.2.

Mr. Prerak Talati i/by. Jain Law Partners LLP for Respondent no.3.

...

**CORAM : DHIRAJ SINGH THAKUR &
SANDEEP V. MARNE, J.**

DATED : 13 JULY, 2023.

P.C. :

1. The present petition has been filed by the Union to espouse the cause of the members of the Union on the issue of non-payment of wages to the Mathadi workers who have been working with Respondent no.3-M/s. Hatsun Agro Products Ltd. It appears that the Mathadi Board by virtue of order dated 21 June 2021 had ordered payment of an amount of Rs.74,36,000/- on account of the entitlement in regard to 20 workers. This amount had remained unpaid by the Respondent no.3.

2. Today upon instructions, the Counsel representing Respondent no.3 makes a statement that an amount of Rs.40,89,800/- would be deposited within a period of four weeks and a further amount of Rs.33,46,200/- within a period of two weeks thereafter with the Mathadi Board with a view to discharge its obligation in terms of the order passed by the Mathadi Board. It was however prayed that the Review Petition filed by Respondent no.3 which is pending consideration before the Board be directed to be considered at the earliest. Although Counsel for the Mathadi Board states that there is no provision for filing or entertaining a Review Petition against the order passed by the Mathadi Board, yet appropriate orders would be passed within a period of four weeks on the Review Petition which has been filed by Respondent no.3.

3. In that view of the matter, the petition is **disposed of** with a direction to the Mathadi Board to ensure that upon receipt of the amount to be deposited by Respondent no.3, the payment is made in accordance with the entitlement of the twenty Mathadi workers. The payment made by Respondent no.3 would be without prejudice to its legal rights.

(SANDEEP V. MARNE, J.)

(DHIRAJ SINGH THAKUR, J.)

NEETA
SHAILESH
SAWANT

Digitally signed by
NEETA SHAILESH
SAWANT

Date: 2023.07.14
16:43:01 +0530