IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.338 OF 2010

(Maa Bomleshwari Mathadi Kamgar Sangh thr. its President, Nagpur and others Vs. The State of Maharashtra thr. its Secretary, Ministry of Labour, Mumbai and others)

Office Notes, Office Memoramda of Coram, appearances, Court's orders of directions and Registrar's Orders. | *Court's or Judge's orders.*

None for Petitioners.
Mrs. Kalyani R. Deshpande, AGP for Respondent 1/State.

CORAM: ROHIT B. DEO AND M. W. CHANDWANI, JJ.
DATE: 5th JUNE, 2023.

None appears on behalf of the petitioner.

2. The prayer clause in the petition read thus:

PRAYER : It is, therefore, most humbly prayed that this Hon'ble Court may be pleased to issue a Writ or mandamus or any other appropriate Writ, order or direct against the respondent No.3;

i) directing it to implement the provisions of the Act of 1969 and Scheme framed thereunder to provide regular work of loading and unloading of truck, trailers and loading and unloading through

cranes and on its failure the respondent No.2 may be directed to take disciplinary action against the respondent No.3.

ii) *direct the respondent No.3 to deposit the amount of Rs.5,99,417/- as stated in Schedule attached with the petition and to pay further accrued amount regularly so that the Mathadi Labours may not suffer hardship and starvation.*

iii) *Saddle the cost of the petition on the respondents;*

iv) *grant any other reliefs which deems fit and proper in the circumstances of the case.*

3. The petition is already dismissed as against respondent 2 – the Chairman, Mathadi and Unprotected Labour Board, Nagpur.

4. It does not appear that any step is taken by the petitioner to restore the petition as against respondent 2 – Mathadi and Unprotected Labour Board, Nagpur.

5. Apart from the fact that the learned counsel

for the petitioner is absent, it would not be possible to adjudicate the issue involved, and to consider the prayer clause, inasmuch as the petition is already dismissed against the said Board.

6. In this view of the matter, the petition stands dismissed.

(M. W. CHANDWANI, J.) (ROHIT B. DEO, J.)

NSN

Digitally Signed ByNITIN SHIVNARAYAN NIKHARE
Signing Date:08.06.2023 12:16