



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

WRIT PETITION NO.6537 of 2023

Swapnil s/o Vijayrao Banode

vs.

State of Maharashtra, through its Secretary, Department of Food, Civil Supplies and
Consumer Protection, Mumbai and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Akshay Naik, Advocate for petitioner.
Shri Amit Madiwale, Assistant Government Pleader for respondent nos. 1 to 3.
Shri N.S.Rao, Advocate for respondent no.4.

CORAM :- A.S.CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ.

DATE :- 4th OCTOBER, 2023

The petitioner who claims to be a labourer is aggrieved by wage rates fixed under Clause 4 of the Tender Notice that are based on the dearness index for the year 2022-23.

2. According to the learned counsel for the petitioner the Tender Notice having been issued on 18.09.2023, the dearness index ought to be fixed in the light of the rates prevailing for the year 2023-24.

3. In the reply filed on behalf of the respondent nos. 2 and 3 reference is made to the minutes recorded in the pre-bid Meeting held on 25.09.2023 wherein it has been stated that there will be a revision of the wages payable to the labourers on the basis of increase in the dearness index every year. Our attention is also invited to Clause 13(6) of the Tender Notice wherein it has been stated that the rates would be revised every year after receiving the relevant figures from the State Government.

4. In the light of reply filed by the respondent nos. 2 and 3 as well as Clause 13(6) of the Tender Notice, we find that interest of the petitioner is duly protected. The labourers would be entitled to benefit of revision of the dearness index annually as stated therein.

5. In view of aforesaid, the purpose of filing the writ petition is served. Thus, the writ petition is disposed of. No costs.

(MRS. VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)

Andurkar.