



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3739 OF 2024

SUREKHA SAMBHU JADHAVAR AND OTHERS

VERSUS

THE UNION OF INDIA THROUGH
SECRETARY AND OTHERS

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Mr. R. K. Ashtekar h/f Mr. S. S. Manale, Advocate for
the Petitioners

Mr. A. G. Talhar, DSGI for Respondent – UOI

Mr. D. R. Korade, AGP for Respondent/State

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CORAM : RAVINDRA V. GHUGE &
R. M. JOSHI, JJ

DATE : APRIL 10, 2024

PER COURT :

1. The grievance of the Petitioners is that several workers had approached this Court in Writ Petition No. 10409/2023 wherein this court passed an order on 04.09.2023 and recorded as under:

1. The Petitioners who are working as 'Mini Anganwadi Sevika', contends that they should be paid at par with the 'Anganwadi Sevika'. This issue involved material aspects like the job profile of each category, the comparison between the two categories (comparable workmen), evidence as regards whether the persons working as 'Mini Anganwadi Sevika' are doing exactly the same work as the 'Anganwadi Sevika', etc. Approaching the Industrial Court for seeking parity in the wages on the principle of 'equal pay for equal work', would be the appropriate proceedings.

2. The learned Advocate for the Petitioners submits that a representation dated 11.01.2023 is addressed to several authorities. Respondent No. 2 can consider the representation and take a decision.

3. In view of the above, this Petition is disposed off.

4. We expect Respondent No.2 to deal with the representation of the Union dated 11.01.2023 (the Petitioners claim to be the Member of the Union), by soliciting details and inputs from the various Anganwadis and Mini Anganwadis and by calling for reports of the authorities concerned. Let this exercise be completed within six months. Thereafter, if the Petitioners are aggrieved, they would be at liberty to approach either the Industrial Court under the MRTU & PULP Act, 1971 or raise an industrial dispute before the competent authority under the Industrial Disputes Act, 1947.

2. The grievance of the Petitioners is that Respondent No. 2 herein is not deciding the representation on the ground that all the Applicants should get orders from the Court.

3. We make it clear that the directions issued in the above reproduced order dated 04.09.2023, would be squarely applicable to the identically placed 'Mini Anganwadi Sevika' and the authorities shall ensure that

their representations shall be decided within the timeline set out in the order dated 04.09.2023. No excuses shall be put-forth.

4. With the above directions, this Writ Petition is disposed off.

(R. M. JOSHI, J)
Malani

(RAVINDRA V. GHUGE, J)