



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

923 WRIT PETITION NO. 6081 OF 2024

PRATAP HARIDAS JAGTAP

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

...

Mr. N. R. Thorat h/for Mr. S. G. Kawade, Advocate for the Petitioner
Ms. Neha Kamble, AGP for Respondents State

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRADE, JJ.

DATE : 25th June, 2024

ORDER:

1. The Petitioner was working as a Gram Rojgar Sevak (Employment Servant) vide a contractual engagement on 16.11.2021. The Grampanchayat resolved to terminate his contractual service w.e.f. 26.01.2024. He is a workman as defined under section 2(s) of the Industrial Disputes Act, 1947 (ID Act). It is contended that there are some newly elected Members of the Grampanchayat who are against the Petitioner and there are certain complaints against him. All of them have come together and succeeded in terminating him.

2. All above issues will have to be gone into on the basis of oral and documentary evidence. The Petitioner has a remedy of approaching the Labour Court under Item 1 of Schedule IV of the MRTU & PULP Act, 1971. In the event of delay, an application for condonation of delay can be filed under Rule 61 of the Labour Court (Practice and Procedure)

Rules, 1975. In the alternative, he can raise an industrial dispute under Section 2-A of the ID Act.

3. In view of the above, **this Writ Petition is disposed off** with liberty to the Petitioner to avail of either of the remedies. The time spent by the Petitioner in this Court from 16.04.2024, till the passing of this order, shall be considered as a good ground for condonation of the delay.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan