



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

948 WRIT PETITION NO.8472/2023
WITH
WRIT PETITION NO. 8585 OF 2023
WITH
WRIT PETITION NO. 8637 OF 2023
WITH
WRIT PETITION NO.8586 OF 2023

GUNWANT SAHEBRAO SHERKAR
VERSUS
THE CHAIRMAN MAHARASHTRA STATE ELECTRICITY
BOARD STAFF COOPERATIVE CREDIT SOCIETY LTD
OSMANABAD

...

Advocate for Applicant : Adv.S.S.Jadhavar
Advocate for Respondent no.1 : Adv.V.S. Undre &
Adv.P.R.Katneshwarkar

...

949 WRIT PETITION NO.8601 OF 2023

GAUTAM RAOSAHEB INGLE
VERSUS
THE CHAIRMAN MAHARASHTRA STATE ELECTRICITY
BOARD STAFF COOPERATIVE CREDIT SOCIETY LTD
OSMANABAD

...

Advocate for Applicant : Adv.S.S.Jadhavar
Advocate for Respondent : Adv.V.S. Undre &
Adv.P.R.Katneshwarkar

...

950 WRIT PETITION NO.8548 OF 2023

AYUB BABUKHAN PATHAN
VERSUS
THE CHAIRMAN MAHARASHTRA STATE ELECTRICITY
BOARD STAFF COOPERATIVE CREDIT SOCIETY LTD
OSMANABAD

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Advocate for Applicant : Adv.S.S.Jadhavar
Advocate for Respondent : Adv.V.S. Undre &
Adv.P.R.Katneshwarkar

...

951 WRIT PETITION NO.8638 OF 2023

SANTOSH SHANKARRAO MORE

VERSUS

THE CHAIRMAN MAHARASHTRA STATE ELECTRICITY
BOARD STAFF COOPERATIVE CREDIT SOCIETY LTD
OSMANABAD

...

Advocate for Applicant : Adv.S.S.Jadhavar
Advocate for Respondent : Adv.V.S. Undre &
Adv.P.R.Katneshwarkar

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WRIT PETITION NO.8469 OF 2023

PANDIT BABURAO GUNDRE

VERSUS

THE CHAIRMAN MAHARASHTRA STATE ELECTRICITY
BOARD STAFF COOPERATIVE CREDIT SOCIETY LTD
OSMANABAD & ANOTHER

...

Advocate for Applicant : Adv.S.S.Jadhavar
Advocate for Respondent : Adv.V.S. Undre &
Adv.P.R.Katneshwarkar

...

WRIT PETITION NO.8550 OF 2023

RAM DASHRATH KADAM

VERSUS

THE CHAIRMAN MAHARASHTRA STATE ELECTRICITY
BOARD STAFF COOPERATIVE CREDIT SOCIETY LTD
OSMANABAD

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Advocate for Applicant : Adv.S.S.Jadhavar
 Advocate for Respondent : Adv.V.S. Undre &
 Adv.P.R.Katneshwarkar

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 21.03.2024

P.C. :

1] Heard the learned counsel for the parties.

2] From perusal of the judgment and order dated 16.11.2022 passed by the Industrial Court, Latur in Complaint [ULP] No.105/2016, it appears that, clause 25 of the Service Rules of the respondent – society is applicable to the employees of the respondent society. Clause 25 of the Maharashtra State Electricity Board Staff Co-operative Credit Society Ltd., Osmanabad is as under :

25. सेवा प्रवेश नियम - कर्मचा-यांचे खालील प्रमाणे वगौकरण श्रेणी राहतील.

1. मैनेजर / व्यवस्थापक	1
2. वरीष्ठ लिपीक	1
3. कनिष्ठ लिपीक	9
पैकी मराठी इंग्रजी टायपीस्ट दोन	
4. शिपाई/डिलेवारी बॉय	4
5. वाहन चालक	1

असा एकुण सोळा जागा राहतील, ज्यावेळी संस्थेचे व्यवहार वाढतील त्यावेळी व कार्यकारी मंडळाला आवश्यकता वाटल्यास जागा वाढवून किंवा रिकाम्या होणा-या जागेवर नेमणुका केल्या जातील अशा जागा भरण्याचा पूर्ण अधिकारी संस्थेच्या चेअरमनला राहिल व त्यास जिल्हा उप-निबंधकाची पूर्व परवानगी आवश्यक आहे व महाराष्ट्र शासनाच्या कर्मचार्याप्रमाणे खालील वेतनश्रेणी राहिल.

1. मैनेजर 1400-40-1600-50-2300-ई बी-60-2600
2. वरीष्ठ लिपीक 1200-30-1560-ई बी-40-2040
3. कनिष्ठ लिपीक 950-20-1150-ई बी-25-1500
4. सेवक 750-12-870-इ-बी-14-940
5. वाहन चालक 950-20-1150-इ-बी- 25-1500

• कैश हँडल (हाताळणी) करणाऱ्या कर्मचार्यास अलाउन्स दरमहा रु.50/- जादा देण्यात येईल.

From the perusal of the impugned order, it is apparent that there is no consideration of clause 25 of the Service Rules in the order of the Tribunal. The learned counsel for the petitioners submits that clause 25 grants them benefit of the pay scale equivalent to that of the State Government employees and they would be entitled for the revised pay scales.

3] The learned counsel for the respondents submits that clause 25 of the Service Rules would not be applicable to the employees as contended by the petitioners

and that they would not be entitled for the revised pay scale.

4] On perusal of the Service Rules, it is apparent that clause 25 is not considered by the Tribunal at all. In view of the same, the impugned judgments and orders passed by the Industrial Court, Latur are quashed and set aside. The matters are remanded back to the Industrial Court at Latur for consideration of the benefit as available under clause 25 of the Service Rules. The Industrial Court to decide the matters as expeditiously as possible preferably within a period of six months from the date of production of the order of this Court. I have not expressed any view on merits of the contention raised and the tribunal will decide the remand matter on its own merits.

5] In view of the above, all Writ Petitions are disposed of.

6] In view of disposal of main writ petitions, all pending Civil Applications are also disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC