

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12178 OF 2019

A. V. Plastic Equipments Pvt. Ltd. And Anr. ...Petitioners

Versus

The Metal And Paper Market And Shops

Mathadi Labour Board And Ors. ...Respondents

Mr. Avinash Jalisatgi a/w Divya Wadekar i/b Vaibhav Jagdale for the
Petitioners.

Ms. R.A. Salunkhe, AGP for Respondent No.3.

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**CORAM : NITIN JAMDAR AND
M.M. SATHAYE, JJ.**

DATE : 2 APRIL 2024

P.C. :

. Heard learned counsel for the parties.

2. The Petitioners have challenged a show cause notice issued by the Respondent/ Mathadi Board on the ground that the Maharashtra Mathadi Hamal and Other Manual Workers (Regulation of Employment and Welfare) Act, 1969 and the Scheme i.e. The Metal (Excluding Iron and Steel) Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973, is not applicable to the Petitioners. The Petitioners have given their written say to the show cause notice. A query was put to the learned counsel for the Respondent/Board as to whether any final order is passed, after the say filed by the Petitioners. The learned counsel for the

Respondent/Board states that the Petitioners did not appear before the Board and have directly approached this Court.

3. That being the position, the petition need not be kept pending in this Court. The Respondent/Board will fix a date for the Petitioners' appearance in the week of 15 April 2024 or 22 April 2024 and inform the Petitioners accordingly.

4. The learned counsel for the Petitioners undertakes that on the date so given, the Petitioners' representatives will appear before the Respondent/Board. It is open to the Petitioners to file an additional representation/material in support of their case when they appear before the Board. It is also open to the Respondent/Board to carry out the inspection before passing the final order. After hearing the Petitioners' representatives so appear, the Respondent/Board will pass a reasoned order on the show cause notice issued, dealing with the aspect of the applicability of the Act and Scheme thereunder.

5. In case the order is adverse, the Petitioners will have their remedy open.

6. The Writ Petition is disposed of.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)