

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 11646 OF 2024

Nashik Mahanagarpalika Kamgar Karmachari
Sanghatna Through Its President ...Petitioner

Versus

Nashik Municipal Corporation Through Its
Commissioner And Ors ...Respondents

Mr. Ajinkya Jaibhave for the Petitioner.

Ms. Shweta Marathe i/b. Jay & Co. for the Respondent Nos. 1.

Ms. Priyanka B. Chavan, AGP for the Respondent Nos. 2 & 3.

**CORAM : RAVINDRA V. GHUGE &
M. M. SATHAYE, JJ.**

DATE : 14th OCTOBER, 2024.

P.C.:-

1. Heard the learned Advocate for the Petitioner for sometime.
2. The learned Advocate for the Corporation vehemently submits that this Petition can not be entertained under Article 226 of the Constitution of India and the Petitioner has a statutory efficacious remedy before the Industrial Court at Nashik.
3. The issue of equal wages for equal work in relation to comparable workmen and the service age of the workmen, will have to be gone into. Merely because the Petitioner has approached the High Court would not

This order is modified as per order dated 24/04/2025 passed in Review Petition (St) No. 6960 of 2025

mean that the Petitioner should be compared with senior most employees doing the same work with Nashik Municipal Corporation. The senior employees have several increments and service benefits added to their salaries, including long terms settlement benefits added to the pay package. For example, a two years old employee cannot draw the same salary as a 12 years old employee.

4. In view of the above, the learned Advocate for the Petitioner submits that the Petitioner Union will approach the Industrial Court at Nashik and espouse the cause of it's members, for parity in wages. The Petitioner, in the alternative, is at liberty to avail of a remedy as is permissible under the provisions of the Industrial Disputes Act, 1947.

5. In view of the above, **this Writ Petition is disposed off** with liberty. All contentions of the parties are kept open.

(M. M. SATHAYE, J.)

(RAVINDRA V. GHUGE, J.)