

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

**WRIT PETITION NO. 959 OF 2012**

Chief Executive Officer,  
Zilla Parishad, Solapur

**... Petitioner**

**Versus**

Shri. Ganpat Pundalik Jadhav

**... Respondent**

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**Mr. Vijay Killedar** *for the Petitioner.*

**Mr. Dilip Bodake** *for the Respondent.*

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**CORAM : SANDEEP V. MARNE, J.**

**DATE : 3 APRIL 2025.**

**P.C.:**

1) The Petition challenges judgment and order dated 14 March 2011 passed by the Member, Industrial Court, Solapur partly allowing Complaint (ULP) No. 63 of 2005 instituted by the Respondent and directing the Petitioner to treat Respondent as full-time Liberian from 1997-1998 and to grant him fixation accordingly for the purpose of payment of salary and allowances. However, the Industrial Court has directed that the Respondent shall not be entitled for actual difference of salary and allowances till the date of its order.

2) I have heard Mr. Killedar, the learned counsel appearing for the Petitioner and Mr. Bodake, the learned counsel appearing for Respondent.

3) It appears that the initial interim order dated 1 March 2012 was passed in the present Petition staying operation of the impugned order of the Industrial Court. The Petition was later admitted on 17 July 2013 and the interim order staying the execution of Industrial Court's order came to be continued. It appears that on account of stay to the Industrial Court's order passed by this Court, Respondent continues to work as part-time Liberian till date.

4) Mr. Bodake has invited my attention to the Government Resolution dated 13 April 2023 introducing the scheme for conversion of part-time Liberians as full-time Liberian. He would submit that Respondent fulfills all the criteria laid down in the GR dated 13 April 2023. He would invite my attention to representation dated 12 August 2024 made by the Respondent to the Chief Executive Officer of Petitioner-Zilla Parishad, under which Respondent has prayed for grant of salary and allowances as full-time Liberian with effect from 13 April 2023. He has made reference to subsequent GR dated 7 November 2023, which contemplates grant of notional fixation from 12 August 1996 and actual fixation from 13 April 2023.

5) Mr. Bodke, after taking instructions from Respondent, who is personally present before the Court, submits that the Respondent is agreeable for modification of the Impugned Order dated 14 March 2011 passed by the Industrial Court and for substitution of the said direction with direction for treatment of Respondent as full-time Liberian in accordance with the GR dated 13 April 2023. The willingness for modification of Industrial Court's order is expressed by the Respondent considering the position that

he is due to retire on attaining the age of superannuation on 31 May 2025. In view of agreement expressed by the Respondent for modification of impugned order dated 14 March 2011 passed by the Industrial Court, detailed reasons are not recorded for setting aside the said order. Respondent appears to be now governed by GR dated 13 April 2023 as clarified by subsequent GR dated 7 November 2023. It would therefore be appropriate that the Respondent is treated as full-time Liberian with effect from 13 April 2023 by granting him all benefits under the two GR's dated 13 April 2023 and 7 November 2023.

6) I accordingly proceed to pass the following order:

- a) Judgment and order dated 14 March 2011 passed by the Member, Industrial Court, Solapur in Complaint (ULP) No. 63 of 2005 shall stand modified.
- b) Petitioner shall treat the Respondent as full-time Liberian with effect from 13 April 2023 as per the GR dated 13 April 2023.
- c) He shall be granted pay fixation as per the GR dated 7 November 2023.
- d) Petitioner-Zilla Parishad shall take expeditious steps towards completion of exercise of pay fixation of the Respondent well before his retirement, preferably by 20 May 2025. The arrears of pay arising out of implementation of this Court shall be paid to the Respondent within a period of four weeks thereafter.

7) With the above directions, the Petition is **partly allowed and disposed of**. Rule is made partly absolute.

**[SANDEEP V. MARNE, J.]**