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

PUBLIC INTEREST LITIGATION NO. 36 OF 2019

Mr. Dashrath Yashwant Jadhav & Ors. .. Petitioners

Versus

State of Maharashtra & Ors. .. Respondents

Mr. Akshay Patil a/w Ms. Devika Madekar i/by Mr. Mayur Thorat for petitioners.

Mrs. Neha S. Bide, Government Pleader with Mr. O. A. Chandurkar, Addl. Govt. Pleader and Mrs. N. M. Mehra, AGP for respondent nos.1 to 3.

Mr. Kiran Bapat, Senior Advocate a/w Mr. Suhas Inamdar for respondent nos.5 to 7.

**CORAM: ALOK ARADHE, CJ. &
SANDEEP V. MARNE, J.**

DATE: 8th JULY, 2025

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P.C.:

1. The petitioners are workers employed in powerloom and allied industries in Kolhapur district. According to the petitioners the State Government had failed to expeditiously decide the claims filed by the workers under Section 20 of the Minimum Wages Act, 1948 (hereinafter referred to as "the Act of 1948") and had failed to review the minimum wages payable to the workers as required under Section 3(1)(b) of the Act of 1948.

2. In the aforesaid factual background, the petitioners have approached this Court seeking the following reliefs:

"(a) That this Hon'ble Court be pleased to issue a writ of mandamus or a writ in the nature of mandamus or any other appropriate order, directions under Article 226 of the Constitution of India directing Respondent No.1 to formulate guidelines and to provide necessary infrastructure, facilities and also appointment of adequate Authorities for expeditious disposal of the claims filed under section 20 of the Minimum Wages Act, 1948.

(b) That this Hon'ble Court be pleased to issue a writ of mandamus or a writ in the nature of mandamus or any other appropriate writ, order, directions under Article 226 of the Constitution of India directing Respondent No.2 and 3 to adjudicate and dispose off the cases filed for recovery of minimum wages pursuant to the notification dated 29th January, 2015 within a period of three months or any other period which this Hon'ble Court deems fit and proper."

3. Learned counsel for the petitioners submit that since the State Government has failed to appoint the authority, therefore, the claims filed by the workers under Section 20 of the Act of 1948 are not being adjudicated. It is further submitted that the State Government is under an obligation to revise the minimum wages as mandated under Section 3(1) (b) of the Act of 1948. However, the aforesaid decision to revise the minimum wages was also not taken despite the direction issued by this Court on 2nd February, 2015.

4. Learned Additional Government Pleader, on instructions, submits that draft notification for revision of the minimum wages is under consideration and the suitable action shall be taken to appoint the authorities for expeditious disposal of the claims under Section 20 of the Act of 1948 within such time as this Court deem fit. It is pointed out by the learned Additional Government Pleader that for fixation of the minimum wages for workers engaged in powerloom, the State

Government has prepared a draft notification on 19th March, 2024 which came to be published on 10th June, 2024. Upon publication of the draft notification, suggestions and objections have been received. However, for the purpose of finalization of the draft notification, the approval of Maharashtra State Minimum Wages Advisory Committee is needed. It is expressed that tenure of the current Advisory Committee has come to an end on 14th November, 2021 and the process is underway for constitution of the new Advisory Committee.

5. In view of the aforesaid submissions and in the facts and circumstances of the case, we issue the following directions:-

(a) The State Government shall take an action to appoint the authorities to adjudicate the claims of the workers under Section 20 of the Minimum Wages Act, 1948 within a period of four weeks.

(b) The process of constituting the Maharashtra State Minimum Wages Advisory Committee shall be completed within a period of eight weeks.

(c) Notification under Section 3(1)(b) of the Minimum Wages Act, 1948 shall also be issued within an outer limit of four months from today.

6. With the aforesaid directions, the PIL is disposed of.

(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)