

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO. 103 OF 2024
WITH
INTERIM APPLICATION NO. 1581 OF 2024
IN
PUBLIC INTEREST LITIGATION NO. 103 OF 2024

Nagnath Uddhav Kadam .. Petitioner
Versus
State of Maharashtra thru Principal .. Respondent
Secretary Dept. of Textile and
...

Mr. Dhananjay Chavan for the petitioner.
Mr. B.A. Lawate for applicants in IA No.1581 of 2024.
Mrs. Neha Bhide, G.P., a/w Mr. N.C. Walimbe, A.G.P, Mr. S.P. Kamble, A.G.P. for respondent nos.1 to 5 and respondent nos.7, 8.
Mr. Amit A Karande for respondent no.16.

CORAM : ALOK ARADHE, CJ &
BHARATI DANGRE, J
DATED : 27th JANUARY, 2025

P.C:-

1. Heard learned counsel for the parties on the question of admission.
2. In this petition which has been filed as a Public Interest Litigation, the petition inter alia seeks to quash and set aside the letter dated 25/9/2023 and 4/10/2023 issued by

respondent no.4 Authority to respondent nos.7 and 8. The petitioner further seeks a direction to respondent no.7 to take action in terms of letter dated 9/1/2023 and letter dated 30/1/2023 issued by respondent no.4 and to take action for mutation entries regarding dues of the State Government, which according to the petitioners, are to the tune of Rs.6877.68 lakhs.

3. The petitioner claims to be a social worker. The respondent no.6 Society is registered under the Multi State Co-operative Societies Act, 1994. The Labour Department, Government of Maharashtra issued a circular on 2/1/2020 for taking NOC regarding the dues while selling/purchasing of the property of the spinning mill. As per the averments made in the Writ Petition, the respondent nos.9 to 16 and others have purchased property belonging to respondent no.6, Sootgirani without taking NOC from respondent nos.1 to 5. Thereupon, respondent no.2 issued a letter to respondent no.17 and respondent no.2 to take action against respondent no.6.

4. The petitioner thereafter had filed a complaint to the authorities. The respondent no.5 issued a letter regarding dues against the respondent no.6 Society. It is the grievance of the petitioner that the provisions of the circular dated 2/1/2010 have been flouted and no action is being taken to recover the dues by the State Government and to the workmen of the respondent no.6, namely, Sootgarini.

5. Admittedly, the workmen have approached the Industrial Court for recovery of the dues and the proceedings before the Industrial Court are pending. It is not the case of the petitioner that the State Government is unable to recover the dues. Therefore, we are not inclined to entertain this Public Interest Litigation.

6. The learned counsel for the proposed intervenor seeks leave of this Court to withdraw the Application for Intervention with liberty to approach the competent forum for redressal of their grievance.

7. The application for intervention is dismissed in terms of the liberty as prayed for.

8. At this stage, the learned Government Pleader submits that suitable action for recovery of the public dues shall be taken expeditiously by the State Government.

9. The aforesaid statement is placed on record. In view of the aforesaid submission, no further order is required to be passed in the Public Interest Litigation. The same is disposed off.

(BHARATI DANGRE, J.)

(CHIEF JUSTICE)