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

WRIT PETITION NO. 11638 OF 2024

Divisional Manager, Forest Development
Department West Nashik, Aranya Sankul,
Tryambak Naka, Nashik

.. Petitioner

Versus

Murlidhar Sonu Mali and Ors.

.. Respondents

.....

- Mr. Ashwinkumar R. Kapadnis, Advocate for Petitioner.
- Mr. S.G. Karandikar, Advocate for Respondents.

.....

CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 20, 2025.

P.C.:

1. Heard Mr. Kapadnis, learned Advocate for Petitioner and Mr. Karandikar, learned Advocate for Respondents.

2. The order dated 12.08.2025 passed in Interim Application No.10998 of 2025 stands complied with. By virtue of that order there are three Respondents before me namely; Murlidhar Sonu Mali - Respondent No.1, Devidas Madhav Bhoje - Respondent No.2 and the legal heir of deceased original employee Madhukar Savliram Gawali - Respondent No.3. Original employee is duly represented by his wife who is impleaded as Respondent No.3. All 3 Respondents are present in the Court before me and have identified themselves. They are also identified by Mr. Ashok D. Deore, Accounts Officer of the Forest

Development Department, Nashik who has filed Affidavit of service dated 20.08.2025 in compliance of directions contained in the order dated 12.08.2025.

3. As observed in the above order, it is *prima facie* seen that inadvertently present Writ Petition No.11638 of 2024 remained to be clubbed and decided alongwith the other 23 Writ Petitions being Writ Petition No.4929 of 2025 and companion Writ Petitions on 29.04.2025 by this Court (Coram: Sandeep V. Marne, J.). In that view of the matter, Interim Application filed by the Divisional Manager, Forest Development Department West Nashik, Government of Maharashtra came to be allowed by passing directions on 12.08.2025.

4. Impleadment of Respondent Nos.2 and 3 has been duly allowed by Court in the present Petition on the basis of Interim Application filed by Forest Department. The 3 Respondents are present before me. As a matter of representation for the 3 Respondents it is seen that if directions are passed to appoint an *amicus* / Advocate through the Legal Aid to espouse and represent their cause, it will entail further delay. Hence in that view of the matter, I have requested Mr. Karandikar, learned Advocate who is present in the Court and who regularly appears as Counsel / Advocate in this Court to kindly accept the brief on behalf of the 3 Respondents before me. He has graciously agreed to accept the same. The 3

Respondents have agreed to accept the order passed by this Court while disposing of the other companion Writ Petitions being Writ Petition No.4929 of 2025 alongwith other 22 Petitions by order dated 29.04.2025. I have also interacted with Respondents and they have agreed to accept the same. Order is passed by this Court whereby this Court has held that Respondents are not even agitating the issue of their absorption by challenging the orders passed by the Labour Court. Compensation of Rs.1,50,000/- awarded by the Labour Court in the peculiar facts and circumstances of the present case, was upheld by this Court this in similarly placed cases which would be inequitable for interfering with the order passed by the Labour Court for the purpose of denial of the lumpsum amount of Rs.1,50,000/- awarded to the Respondents / employees by the Labour Court.

5. I have considered the submissions advanced by Mr. Kapadnis, learned Advocate appearing on behalf of Divisional Manager, Forest Development Department Nashik. He would fairly inform the Court that it was duty of Forest Department to ensure that case of Respondents was tagged alongwith similarly placed Writ Petitions when the order dated 29.04.2025 was passed by this Court in the 23 Writ Petitions.

6. He would submit that on realizing that 3 Respondents have been left out, he moved the Court to hear the Writ Petition No.11638

of 2024 forthwith which this Court was pleased to hear pursuant to carrying out appropriate amendment as granted vide order dated 12.08.2025 in Interim Application No.10998 of 2025. He would submit that the Representative Officer of the Forest Development Department namely Mr. Ashok D. Deore is present in Court today has filed Affidavit of service and he has instructed him to inform the Court that as per the record maintained by the Forest Department names of the Respondent Nos.1 and 2 and husband of Respondent No.3 were duly on record and they are entitled to compensation of Rs.1,50,000/- awarded by the Labour Court if the present Petition is dismissed. He would however persuade the Court to consider one additional submission in respect of payment of interest. Paragraph No.3 of the Award passed by the Labour Court categorical gives interest @6% to the employees.

7. Mr. Kapadnis would submit that to that extent if paragraph No.7 of the order dated 29.04.2025 passed by this Court (Coram : Mr. Sandeep V. Marne, J.) is seen it does not refer to the interest quotient but since the Court had declined to interfere in the Award passed by the Labour Court and merely because of the rate of interest is not quoted in paragraph No.7, Respondents cannot be denied the interest quotient which is awarded to them by virtue of the Labour Court Award. He would submit that in that regard there is silent ambiguity in paragraph No.7 when alongwith lumpsum compensation of Rs.1,50,000/- interest payment is not mentioned therein.

8. I have perused the Award passed by the Labour Court and I find that the amount of lumpsum compensation of Rs.1,50,000/- has been awarded to the employees alongwith 6% interest.

9. In that view of the matter, present Writ Petition stands dismissed in view of the order dated 29.04.2025 passed by this Court in similarly placed Writ Petitions filed by the Divisional Manager, Forest Development Department West Nashik. It is however noted that Respondents shall be entitled to compensation of Rs.1,50,000/- awarded by the Labour Court alongwith 6% interest until the date of payment.

10. I am informed by Mr. Kapadnis that in so far as the present Respondents are concerned, their cheques of lumpsum compensation of Rs.1,50,000/- are kept ready with the Forest Department, but in order to compute and calculate the rate of interest, the Forest Department will require some more time. Respondents before me have suffered the ignominy of litigation and peculiar circumstances and therefore I direct the Forest Department to immediately pay the amount of Rs.1,50,000/- to the 3 Respondents in the present Writ Petition before me within a period of two days from today positively without delay as I am inclined to dismiss the Writ Petition and uphold the Award of the Labour Court. Writ Petition is dismissed.

11. In so far as the computation of 6% interest as per the Award

passed by the Labour Court to the Respondents is concerned, Forest Department shall immediately compute the same and ensure that the cheques for the interest quotient are paid over to the Respondents positively within a period of two weeks from today unfailingly.

12. Mr. Karandikar, learned Advocate for Respondents has persuade the Court to consider one more submission that by virtue of dismissal of present Writ Petition, the order of the Labour Court is required to be upheld and confirmed which in itself awards lumpsum compensation of Rs. 1,50,000/- alongwith 6% interest. He would therefore submit that in that view of the matter, when the Court in the order dated 29.04.2025 records the fact that Writ Petitions are dismissed, it would entail that Respondents would be entitled to lumpsum amount of Rs.1,50,000/- alongwith 6% interest. He would submit that merely because in paragraph No.7 of the order dated 29.04.2025, there is no reference payment of interest, it would not deny the legitimate right of the Respondents to be entitled to the interest quotient. This submission of Mr. Karandikar is in the larger interest of not only the present Respondents before me but all Respondents in the group of Petitions which were decided by the order dated 29.04.2025 and the amplitude of this Court while considering its supervisory jurisdiction under Article 227 of the Constitution of India can undoubtedly be employed by the Court to give appropriate directions in such circumstances in the interest of justice.

13. Hence, it is directed that in so far as the interest quotient of all Respondents who were Respondents in the group of Writ Petitions decided by order dated 29.04.2025 are concerned, they shall be paid interest computed at 6% as per the Award by the Forest Department within a period of two weeks from today.

14. This Court truly appreciates the aid and assistance rendered by Mr. Karandikar to represent and espouse the cause of the Respondents employees in the present case.

15. With the above observations, findings and directions, Writ Petition is disposed.

[MILIND N. JADHAV, J.]

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Date: 2025.08.20
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