

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12219 OF 2025

Oil Field Employees Association through
President Shaligram G. Mishra .. Petitioner

Versus

Oil and Natural Gas Corporation Ltd & Ors. .. Respondents

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- Mr. Shaligram G. Mishra, Petitioner in Person
- Mr. Govindram D. Talreja a/w Mr. Rahul Mantri i/by M/s. Gobindram D. Talreja & Associates, Advocates for Respondent No. 1 - ONGC

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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 29, 2025

P. C.:

1. Heard Mr. Mishra claiming to be appearing on behalf of Petitioner to represent and espouse the cause of workmen and Mr. Talreja, learned Advocate for Respondent No. 1 - ONGC.

2. After hearing Mr. Mishra, this Court passed the following order on 22.09.2025:-

"1. Heard Mr. Mishra, learned Advocate for Petitioner in person. He would submit that he desires to represent and espouse the cause of workers / workmen working with Respondent No. 1 - ONGC. He would submit that the present Petition is in the interest of every workman who is working in ONGC through the Contractor. Though in the Petition some distinction is carved out, on considering the reliefs which are prayed for by him, it is not clear as to what is the precise relief that he seeks. Further his locus to file the Petition is also crucial since he does not represent the Union. There are already recognized Union in the Respondent No. 1.

2. When the Petition is argued before me, he would submit that all that he seeks from the Court is a direction to Respondent No. 1 that workmen working in ONGC through the contractors should not be removed without following the due process of law. This is the only point which he has

argued across the bar and which Court has understood. Looking at the prayer clauses, it is not even clear as to what is the relief, Petitioner is seeking since all that he seeks in certiorari and direction with respect to the Petition. Sum and substance of Mr. Mishra's argument is that there are 400 workmen working in ONGC through contractors and whatever are their substantive rights, they should be protected before they are removed from service. Though it is a very omnibus kind of submission made by Mr. Mishra, all that I can do is issue notice to Respondent No. 1 to understand the correct picture and nothing more before I determine and dispose of the Petition.

3. One of the grievance raised by Mr. Mishra is that all daily wage workers are removed from service but no details whatsoever thereof have been given either in the Petition or otherwise. Petitioner is directed to give those details if he wants to prosecute the Petition failing which it shall be dismissed. Submissions made by Mr. Mishra are vague and general. Petitioner will have to show how the Petition is maintainable in the form in which it is filed.

4. Issue notice to the Respondent No. 1 only made returnable on 29.09.2025 at this stage. I do not propose to issue notice to other private Respondents. Humdast permitted. In addition to Court's notice, Petitioner is directed to serve copy of the Petition along with copy of this order on Respondent No. 1 only and inform them about the next date of hearing by any permissible mode of service and file appropriate affidavit of service with tangible proof thereof on or before the next date.

*5. Stand over to **29th September, 2025** subject to compliance of this order."*

3. Today, Mr. Talreja, learned Advocate appears for Respondent No.

1 - ONGC and informs the Court that there are recognized Unions representing and espousing the cause of workmen working in ONGC.

He would submit that these recognized Unions represent and espouse

the cause of workmen who are working with contractors appointed by

ONGC also. He would submit that copy of the Petition is served on

Respondent No. 1 but as remarked by the Court in its previous order,

the prayer in the Petition is vague, insufficient and generic in nature.

He would submit that the ethos of the Petition filed by Petitioner is

noted by Respondent No. 1 and it has taken cognizance of the fact that

it will have to ensure that all labour laws are duly followed in course of statutory provisions in respect of all workmen who are employed by Respondent No. 1. He would submit that considering that the Petition is not specific and general, it is not maintainable because Mr. Mishra claims to be the President of an unrecognized Union which has approached the Court to seek substantive omnibus directions. He would submit that the prayers in the Petition are vague and insufficient and incongruous.

4. Whatever may be the submissions advanced by Mr. Talreja, the sum and substance of the Petition is that the employer is required to follow the statutory labour laws. This is the only message which has been conveyed by Petitioner in the present Petition. However considering the submissions which are recorded in paragraph Nos. 2 and 3 of the previous order, no further orders can be passed in the Petition. Rejoinder affidavit filed by Petitioner is taken on record. Copy of the same is given to Mr. Talreja.

5. Respondent No. 1 is directed to follow the due process of law and all statutory provisions in respect of employment of workmen employed by Respondent No. 1 and those through the contractors. Needless to state that if any workman is affected, leave and liberty is there to that workman to approach the appropriate Statutory Authorities strictly in accordance with law.

6. With the above directions, Petition is disposed.

[MILIND N. JADHAV, J.]

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by RAVINDRA
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