

Prasad Rajput
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.10998 OF 2025

IN

WRIT PETITION NO.11638 OF 2024

Divisional Manager Forest Development Dept	.. Applicant
<u>IN THE MATTER BETWEEN:</u>	
Divisional Manager Forest Development Dept	.. Petitioner
Versus	
Murlidhar Sonu Mali	.. Respondent

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- Mr.Ashwin R. Kapadnis, Advocate for Applicant.
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CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 12, 2025

P. C.:

- 1.** Heard Mr. Kapadnis, learned Advocate for Applicant.
- 2.** Present Application is filed in Writ Petition No.11638 of 2024 by Divisional Manager, Forest Development Department West Nashik. Petition is in respect of two Respondents and was infact part of a group of Petitions with the lead petition bearing Writ Petition No.4929/2025 in which order dated 29.04.2025 came to be passed by this Court while disposing of said lead Petition alongwith its 25 companion Petitions. Copy of order dated 29.04.2025 is placed before me.

3. Mr. Kapadnis in his usual fairness informs the Court that inadvertently present Writ Petition being part of said group of Writ Petitions was left out when the order dated 29.04.2025 was passed. He would fairly submit that Writ Petition which was filed by the Forest Department to challenge the award passed by the Labour Court, Nashik, *inter alia*, awarding lumpsum compensation of Rs.1,50,000/ to the Respondents who had worked as Van Majurs (Forest Labourers) in lieu of reinstatement and backwages was upheld by this Court which dismissed all writ petitions. He would submit that identical order is also invited in the present Writ Petition bearing No.11638/2024 but before doing so Petitioner would like to amend Writ Petition by placing on record two copies of the award both dated 01.01.2024 passed in case of proposed Respondents herein and implead the legal heirs of one of the Respondents in the Petition.

4. He would inform the Court that Writ Petition No.11638 of 2024 needs to be amended by impleading the names of two forest labourers namely Devidas Madhav Bhoje as Respondent No.2 and Madhukar Savliram Gawali Respondent No.3 through his legal heir Bharti Madhukar Gawali in whose favour identical awards have been passed which are appended at page Nos.12 and 27 of the Interim Application.

5. He would submit that apart from amending cause title of Writ Petition, Petitioners may also be allowed to append and annex copies of twin awards both dated 01.01.2024 which are annexed to the Interim Application in favour of the newly added Respondents.

6. I have perused the copy of the Interim Application. *Prima facie* it is seen that if the present Application is rejected it would require the first party namely Divisional Manager Forest Development Department to file fresh Writ Petition which will entail a lot of delay. Already there has been delay in the present case.

7. Awards passed by the Industrial Court which have been upheld by this Court (Coram: Sandeep V. Marne, J.) by passing a common order dated 29.04.2025. The present Writ Petition pertains to one employee Murlidhar Sonu Mali in whose favour similar award has been passed as also the twin proposed Respondents who are to be impleaded who have a similar award in their favour. Therefore in the interest of justice, I am inclined to accept the submissions made by Mr.Kapadnis and allow the Application.

8. Hence, Interim Application is allowed in terms of prayer clauses 19(i) and 19(ii). Amendment is permitted to be carried out forthwith in the presence of Court itself. Re-verification stands dispensed with.

9. Issue notice to the newly impleaded Respondents. Humdast permitted. In addition to Court notice, Petitioner is permitted to serve a copy of the Writ Petition and this order on the newly added Respondents 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.

10. After receiving notice, Respondents are directed to take cognizance of this order and file Affidavit-in-Reply on or before the next date, if so desired.

11. I am informed by Mr. Kapadnis that if Respondents remain present before the Court on the next adjourned date, Court can pass appropriate orders considering the exigency in the matter.

12. List Writ Petition No.11638/2024 on board on **20th August, 2025.**

13. Interim Application is allowed in the above terms and disposed.

[MILIND N. JADHAV, J.]