



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 2230 OF 2024

WITH

WRIT PETITION NO. 2219 OF 2024

(The State of Maharashtra through Executive Engineer PWD Buldhana vs. Kadusingh s/o
Gangasing Jadhao)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. H.R.Dhumal, AGP for petitioner.
Mr. S.G.Raghorde, Advocate for respondent.

CORAM : SIDDHESHWAR S. THOMBRE, J.
OCTOBER 09, 2025

- 1) Heard learned counsel for the petitioner as well as learned counsel for respondent.
- 2) Learned counsel for the petitioner vehemently submitted that learned Labour Court has not considered the fact that the respondent-workman failed to adduce any evidence to prove that he had completed more than 240 days in a calender year and the observations made by the Industrial Court are not as per the record. Therefore, on that count he prayed that the impugned order needs to be quashed and set aside and the matter be remanded back to the Labour Court to decide it afresh.
- 3) Per contra, learned counsel for the respondent workman submitted that learned Industrial Court has rightly considered the matter and the evidence, to that effect, placed on record. The respondent employee is working with the petitioner since 1985 and only to deprive the benefits of permanency and other consequential benefits, the authorities have refused to give him those benefits. Industrial Court after considering the record

available has recorded reasons that the respondent has proved that he had worked more than 240 days in one calender year and therefore, the order passed by the Industrial Court needs to be maintained.

4) I have gone through the grounds raised by the petitioner as well as documents placed on record by both the parties. It is an admitted fact that the respondent is working since 1985 and State being a Model Employer is required to consider that the employees who are working years together are not supposed to be deprived of their legitimate right.

5) Industrial Court after considering the documentary evidence placed on record by the petitioner held that the respondent employee has completed more than 240 days in a calender year. Therefore, the findings recorded by the Industrial Court are based on the evidence led by both the parties. In view of the fact that since 1985, the petitioner is rendering his services to the Government and he is on the verge of retirement, therefore, I am not inclined to entertain the present writ petition. As such, the writ petition stands dismissed. No order as to costs.

(SIDDHESHWAR S. THOMBRE, J.)