



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

WRIT PETITION NO. 2223 OF 2020

(Sau. Kalpana Rajan Gaikwad vs. Rashtra Sant Tukdoji Cander Hospital and Research Center
and another)

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

Court's or Judge's order

Mrs. S.K.Paunikar, Advocate for petitioner.
Mr. N.S.Bhattad, Advocate for respondents.

CORAM : SIDDHESHWAR S. THOMBRE, J.
NOVEMBER 11, 2025

- 1) Heard learned counsel for the respective parties.
- 2) The present petition is directed against the order dated 16/01/2015 passed by the learned Member, Industrial Court in Complaint (ULP) No.458/2009, whereby the complaint filed by the petitioner under Section 28 of the Maharashtra Recognition of Trade Union and Prevention of Unfair Labour Practice Act, 1971 came to be dismissed.
- 3) The grievance of the petitioner before the learned Industrial Court was that she was not paid salary at par with the Staff Nurse. In support of her contention, she led the evidence and submitted that as per the Government Circular, she is entitled to the salary at par with the Staff Nurse.
- 4) Per contra, learned counsel for the respondents submits that the qualification and the wages for the post of Staff Nurse are totally different. She is working as Midwife and therefore, she is not entitled to receive the salary as is applicable to the post of Staff Nurse. All these facts were considered by the learned Industrial Court.

- 5) I have gone through the order passed by learned Industrial Court and the documents which are placed on record. Admittedly, it is the case of the petitioner that she is working as Midwife and therefore, she is not entitled to claim salary as is applicable to the Staff Nurse.
- 6) Learned Industrial Court recorded the findings after considering the evidence led by both the parties. Therefore, I do not find any perversity in the impugned order. In view thereof, the petition is dismissed. No order as to costs.
- 7) Petitioner is at liberty to avail remedy as is available in law.

(SIDDHESHWAR S. THOMBRE, J.)