



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

Writ Petition No.4032 of 2024
Zilla Parishad, Yavatmal Vs. Hariram Bajirao Dahikar

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. R.D.Bhuibhar, Advocate for petitioner.
Mr. P.V.Thakre, Advocate for respondent.

CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 15/10/2025.

1. Heard Mr. R.D.Bhuibhar, learned counsel for the petitioner and Mr. P.V.Thakre, learned counsel for respondent.
2. The petitioner-Zilla Parishad has challenged the order dated 3.11.2022 passed by the learned Industrial Court, Yavatmal in Complaint (ULP) No.82/2014, whereby the complaint filed by the respondent came to be allowed.
3. Mr.Bhuibhar, learned counsel for the petitioner, submits that the respondent had worked as Gram Sewak and, therefore, does not fall within the definition of "Workman". Hence, the complaint filed before the Industrial Court itself was not maintainable.
4. Having heard the learned counsel for the respective parties, and upon perusal of the impugned order passed by the Industrial Court, Yavatmal, I find substance in the submission of the learned counsel for the petitioner that the respondent has worked as a Gram Sewak in the employment of Zilla Parishad and, therefore, he cannot be treated as a "Workman". The grievance of the petitioner is that the provisions of the Maharashtra Zilla Parishads District services (Disciplinary and Appeal) Rules, 1964 ("the Rules" for short) are applicable to the

case of the respondent and consequently, the Industrial Court does not have jurisdiction to entertain the grievance raised by the respondent.

5. In view of the issue of jurisdiction, the impugned order passed by the Industrial Court, Yavatmal, in Complaint (ULP) No.82/2014 dated 3.11.2022 is set aside.

6. The respondent shall however, be at liberty to raise same grievance again, which was raised before the, before the Divisional Commissioner or appropriate Authority as per Rules. The Authority concerned to decide the matter on its own merits without being influenced by any observations made by the Industrial Court.

7. The petitioner to file appropriate proceedings within a period of four weeks from today. The Authority concerned shall take into consideration the delay caused while prosecuting the proceedings before the Industrial Court as well as before this Court while dealing with the application for condonation of delay.

8. The petition stands disposed of in the above terms. All points raised in the petition are kept open.

(Siddheshwar S. Thombre, J)