



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

41 WRIT PETITION NO.1448 OF 2026

LATABAI W/O PANDHARINATH MORE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. B.A. Darak, Advocate for petitioners

Mr. S.K. Tambe, AGP for respondent Nos.1 to 3

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CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.

DATE : 09th FEBRUARY, 2026

ORDER : (PER : SMT. VIBHA KANKANWADI, J.)

. Present petition has been filed for following reliefs :

“(B) It may kindly be held by appropriate writ order or direction that the claim for regularization in the services along with the consequential benefits as per the judgments of the learned Labour Court and learned Industrial Court and the judgment of the Hon’ble Single Judge had not been considered same is arbitrarily, discriminated and against principles of natural justice.

(C) It may kindly be held by appropriate writ order or direction

that the claim of the petitioners had not been considered by the respondents thereby the respondents may kindly be directed to pay lump sum compensation of Rupees Forty Lakhs along with interest amount from the filing of ULP complaint in the year 1998 to the petitioners of their survival in the ends of justice.”

2 Heard learned Advocate Mr. B.A. Darak for petitioners and learned AGP Mr. S.K. Tambe, who waives notice for respondent Nos.1 to 3.

3 Important point to be noted is that petitioners, who are the members of Khandesh Van Shramik Sanghatana, had filed complaint ULP No.148/1998 before Labour Court, Jalgaon. By judgment dated 07.04.2003 it came to be partly allowed. It was declared that respondents were indulging in unfair labour practices. Some of the petitioners were given reinstatement and continuity in service. It appears that the said order was challenged before this Court in Writ Petition No.4261 of 2006, which came to be decided on 14.02.2019, wherein that order was confirmed. Again, it appears that in respect of some of the members again the said Sanghatana filed complaint ULP No.1343/1999 and it came to be partly allowed by learned Member, Industrial Court, Jalgaon on 16.06.2003. It was again challenged before this Court, but it failed. Some of the petitioners had approached this Court by filing Writ Petition No.12935 of 2023 with

companion matters, which came to be decided on 28.08.2024, thereby granting lump sum compensation to some of those petitioners or their legal representatives. In similar other matters also when similar reliefs were claimed in Writ Petition No.12618 of 2024 and Writ Petition No.13813 of 2024 with companion matter, similar orders have been passed regarding lump sum payment. Now, present petition has been filed for the claim of regularization in the services along with consequential benefits, in view of the orders passed by the Labour Court and Industrial Court. Petitioners have now contended that though the decisions were rendered by learned Labour Court and Industrial Court way back in the year 2003 and 2006; yet respondents never considered the cases for regularization and consequential benefits till this date. We afraid that when subsequently petitions were filed in the year 2003, which came to be decided in 2022 and then in the writ petitions before the Division Bench the matters came up in 2003-04 no similar prayer was ever made by petitioners, there was absolutely no hurdle for the petitioners to go for the implementation / execution of the orders passed by this Court. Implementation of the orders passed by Courts of Law cannot be by way of writ petition. If lump sum was awarded by this Court and it was not deposited; yet petitioners could have gone for execution or might have come under the Contempt of Courts Act, but not by way of separate writ petition. Therefore, we do not find this to be a fit case where

we should exercise our powers under Article 226 of the Constitution of India.

Writ Petition stands dismissed.

(HITEN S. VENEGAVKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

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