

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 926 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Sagar Appaso Chavan

WITH
WRIT PETITION NO. 474 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Vandana Sunil Patil

WITH
WRIT PETITION NO. 932 OF 2026

Swami Ramanand Bharti Sahakari Soot Girani Ltd Thr Chairman
VERSUS
Vijay Baurao Dyal

WITH
WRIT PETITION NO. 646 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Mahadev Shrirang Shinde

WITH
WRIT PETITION NO. 855 OF 2026

Swami Ramanand Bharti Sahakari Soot Girani Ltd Thr Chairman
VERSUS
Deepak Bhagwan Patil

WITH
WRIT PETITION NO. 662 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Yogesh Kisan Babar

WITH
WRIT PETITION NO. 465 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Mohan Hambira Ghatugade

WITH
WRIT PETITION NO. 13204 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Fakkadrao Bhagwan Shinde

WITH
WRIT PETITION NO. 13205 OF 2025

Swami Ramanand Bharti Sahakari Soot Girani Ltd.
VERSUS
Vinayak Pralhad Chavhan

WITH
WRIT PETITION NO. 929 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Sukhdev Manikrao Lugade

WITH
WRIT PETITION NO. 12739 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd.

VERSUS
Annaso Jagannath Patil

WITH
WRIT PETITION NO. 468 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman

VERSUS
Tukaram Balaso Kadam

WITH
WRIT PETITION NO. 464 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd

VERSUS
Avinash Kisan Sutar

WITH
WRIT PETITION NO. 467 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd

VERSUS
Pravin Ramchandra Lohar

WITH
WRIT PETITION NO. 875 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman

VERSUS
Rajaram Shankar Patil

WITH
WRIT PETITION NO. 657 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman

VERSUS
Pradip Ramchandra Mohite

WITH
WRIT PETITION NO. 869 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman

VERSUS
Daulat Pundlik Landge

WITH
WRIT PETITION NO. 791 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman

VERSUS
Sudhir Pandurang Patil

WITH
WRIT PETITION NO. 789 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman

VERSUS
Vijay Janardhan Pawar

WITH
WRIT PETITION NO. 931 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman

VERSUS
Ramchandra Cyanoba Kadam

WITH
WRIT PETITION NO. 872 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman

VERSUS
Pradip Vitthal Patil

WITH
WRIT PETITION NO. 12186 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd
VERSUS
Bharat Bhau Patil

WITH
WRIT PETITION (STAMP) NO. 29384 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd, Tasgaon Thr.
Chairman
VERSUS
Sanjay Laxman Lugade

WITH
WRIT PETITION NO. 745 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd
VERSUS
Bhausahab A. Khade

WITH
WRIT PETITION NO. 12185 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd
VERSUS
Rahul Chandrakant Kokne

WITH
WRIT PETITION NO. 11679 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd.
VERSUS
Anil Hari Misal

WITH
WRIT PETITION NO. 471 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd.

VERSUS
Gajanan Shahaji Pawar

WITH
WRIT PETITION NO. 316 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd

VERSUS
Arun Vasant Chavhan

WITH
WRIT PETITION NO. 209 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd

VERSUS
Vinod Jagannath Patil

WITH
WRIT PETITION NO. 301 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd

VERSUS
Pooja Sanjay Patil

WITH
WRIT PETITION NO. 277 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd

VERSUS
Dipak Keshav Jadhav

WITH
WRIT PETITION NO. 930 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman

VERSUS
Sharad Shivling Swami

WITH
WRIT PETITION NO. 271 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Nagesh Yashwant Gurav

WITH
WRIT PETITION NO. 580 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Ganpatrao Ramrao Kharade

WITH
WRIT PETITION NO. 698 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Baburao Prahlad Rupnar

WITH
WRIT PETITION NO. 581 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Manik Sadashiv Patil

WITH
WRIT PETITION NO. 699 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Dattatray Bapuso Pawar

WITH
WRIT PETITION NO. 582 OF 2026

Swami Ramamnand Bharati Sahakari Soot Girani Ltd. Thr.
Chairman

VERSUS
Macchindra Nanaso Pawar

WITH
WRIT PETITION NO. 12143 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd, Tasgaon Thr.
Chairman

VERSUS
Prakash Vitthal Patil

WITH
WRIT PETITION NO. 12180 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd, Tasgaon Thr.
Chairman

VERSUS
Hari Shrirang Gurav

WITH
WRIT PETITION NO. 12077 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd.

VERSUS
Rahul Balaso Patil

WRIT PETITION NO. 12385 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman

VERSUS
Shankar Kisan Patil

WITH
WRIT PETITION NO. 12384 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Ganpati Daulati Patil

WITH
WRIT PETITION NO. 245 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Manoj Ramchandra Shinde

WITH
WRIT PETITION (STAMP) NO. 31405 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Vilas Bapu Patil

WITH
WRIT PETITION NO. 12144 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd
VERSUS
Shashikant Balasaheb Inganale

WITH
WRIT PETITION NO. 11705 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd, Tasgaon Thr.
Chairman
VERSUS
Adinath Shripal Shirote

WITH
WRIT PETITION NO. 12178 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd, Tasgaon Thr.
Chairman

VERSUS
Dattatray Limbaji Dhanvade

WITH
WRIT PETITION NO. 12183 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd, Tasgaon Thr.
Chairman

VERSUS
Haribhau Manohar Patil

WITH
WRIT PETITION NO. 12147 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman

VERSUS
Umesh Gunvant Patil

WITH
WRIT PETITION NO. 12176 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman

VERSUS
Appaso Namdev Kadam

WITH
WRIT PETITION NO. 466 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
Thr. Chairman

VERSUS
Sachin Bapurao Lohar

WITH
WRIT PETITION NO. 274 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd.

VERSUS
Sandip Sambhaji Mali

WITH
WRIT PETITION NO. 12182 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd

VERSUS
Subhash Shamrao Patil

WITH
WRIT PETITION NO. 11763 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman

VERSUS
Sanchit Mahadev Patil

WITH
WRIT PETITION NO. 12738 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman

VERSUS
Pravin Gaurihar Shete

WITH
WRIT PETITION NO. 873 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman

VERSUS
Amol Barasu Jayappa

WITH
WRIT PETITION NO. 12083 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd.

VERSUS
Hanmant Subhash Wagh

WITH
WRIT PETITION NO. 12078 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd.

VERSUS
Sachin Shivaji Kamble

WITH
WRIT PETITION NO. 12085 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd.

VERSUS
Sunil Shanka Gurav

WITH
WRIT PETITION NO. 12086 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd.

VERSUS
Gautam Dadaso Patil

WITH
WRIT PETITION NO. 12082 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd.

VERSUS
Balaso Pandurang Suryawanshi

WITH
WRIT PETITION NO. 12081 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd.

VERSUS
Vikram Vishnu Shinde

WITH
WRIT PETITION NO. 12149 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Anil Sambhaji Salunkhe

WITH
WRIT PETITION NO. 12141 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd.
VERSUS
Amol Hari Pawar

WITH
WRIT PETITION NO. 12179 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd.
VERSUS
Swapnil Chandrakant Pawar

WITH
WRIT PETITION NO. 12146 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd.
VERSUS
Avinash Sadashiv Shinde

WITH
WRIT PETITION NO. 12145 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd.
VERSUS
Siddheshwar Bapu Borgaonkar

WITH
WRIT PETITION NO. 12150 OF 2025

Swami Ramanand Bharti Sahakari Soot Girani Ltd.

VERSUS
Pralhad Vitthal Patil

WITH
WRIT PETITION NO. 12142 OF 2025

Swami Ramanand Bharti Sahakari Soot Girani Ltd.

VERSUS
Yuvraj Shankar Desai

WITH
WRIT PETITION NO. 12181 OF 2025

Swami Ramanand Bharti Sahakari Soot Girani Ltd., Thr. Its
Chairman

VERSUS
Suresh Bajirao Patil

WITH
WRIT PETITION NO. 12148 OF 2025

Swami Ramanand Bharti Sahakari Soot Girani Ltd.

VERSUS
Prakash Mahadev Surywanshi

WITH
WRIT PETITION NO. 12736 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman

VERSUS
Anandrao Bhimrao Kalekar

WITH
WRIT PETITION NO. 12737 OF 2025

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Bajirao Ramchandra Desai

WITH
WRIT PETITION NO. 238 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Sunanda Sunil Shinde

WITH
WRIT PETITION NO. 463 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Sandip Shankar Todkar

WITH
WRIT PETITION NO. 309 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Siddhnath Raghunath Mohite

WITH
WRIT PETITION NO. 472 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd. Thr. Chairman
VERSUS
Manoj Krushna Babar

WITH
WRIT PETITION NO. 469 OF 2026

Swami Ramamnand Bharti Sahakari Soot Girani Ltd

VERSUS
Laxman Pralhad Gurav

Ms. Simran Sameena a/w Ms. Ketaki S. i/by Mr. Sanadiip Mutaalik
for the Petitioner.

CORAM : SACHIN S. DESHMUKH, J.

DATE : 4th MAY, 2026

P. C. :

1. This batch of Writ Petitions, the Petitioner-Employer challenges various judgments and orders passed by the Member, Industrial Court, Sangli, in a complaints presented by the respective Respondents/employees. While these orders were passed on different dates in early 2025, the proceedings arise from a common set of facts and involve identical questions of law, as such are taken together.

2. By the impugned orders, the Industrial Court allowed the complaints presented by the Respondent-Employees, holding the Petitioner had engaged in unfair labour practices under Item 9 of Schedule IV of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 ("the MRTU & PULP Act") and directed the Petitioner to pay the differential amount

between the wages actually paid and the prescribed minimum wages, with a default stipulation of interest at the rate of 6% per annum.

3. The Petitioner is a Cooperative Society registered under the Maharashtra Co-operative Societies Act, 1960, and is engaged in the business of manufacturing cotton yarn and spinning. The Respondent-Employees were engaged as laborers by the Petitioner industry as far back as 2006. It is the case of the Respondents that they have rendered unblemished service for nearly two decades, initially starting on a meager wage of Rs. 30/- per day. While their wages were periodically increased over the years, at the time of approaching the Industrial Court, they were being paid daily wages of only Rs. 240/-.

4. The Respondents/employees contended that this payment was not in conformity with the prescribed minimum wages applicable to the textile and spinning industry. They further asserted that even after completing 240 days of continuous service and the Petitioner being an "industry" under Section 2(j) of the Industrial Disputes Act, 1947, were deprived of statutory benefits, safety measures, and the status of permanency.

5. Aggrieved by this persistent deprivation of legal dues, the Respondents presented complaint under Section 28 read with Items 9 and 10 of Schedule IV of the MRTU & PULP Act, 1971. The Industrial Court, vide the impugned order, upheld their claim regarding the difference in minimum wages and directed the Petitioner to pay the arrears. Aggrieved by this direction and the finding of unfair labour practice, the Petitioner is before this Court.

6. Learned Counsel for the Petitioner submitted that the Industrial Court committed a grave error in passing the impugned order without appreciating the jurisdictional and financial constraints of the Petitioner. It was contended that the engagement of the Respondent-employees was purely temporary and casual in nature, and as such, the claim for permanency and structured wage benefits was untenable. Since the industry falls under the textile sector, the employees had an alternative and efficacious remedy under Section 86C of the Maharashtra Industrial Relations Act, 1946. The absence of any prior determination by the Wage Board conferring specific wage scales, it was not open for the employees to directly invoke the jurisdiction of the Industrial Court under the MRTU & PULP Act.

7. Learned Counsel for the Petitioner further emphasized the precarious financial position of the cooperative society, pointing out that the industry has suffered significant losses due to the volatile pricing of cotton and increasing market competition. The industry had undergone upgradation, such processes were contingent upon the availability of funds, and the current wage structure was reflective of the industry's limited paying capacity. Counsel also raised an exception to the quantum of arrears, asserting that the Industrial Court awarded an excessive amount that exceeded the actual entitlement of the workers. Relying upon the detailed calculations submitted by way of an affidavit, the Petitioner contended that there was no "unfair labour practice" as defined under the Act, as the society had not willfully defaulted but was restricted by economic realities. On these grounds, it was prayed that the impugned order be set aside and the petition be allowed.

8. Upon hearing the learned counsel for the Petitioner and perusing the material on record, it is evident that the employees have rendered service for more than a decade and their statutory entitlement to minimum wages has been duly recognized by the Industrial Court after a thorough appreciation of the facts.

9. When this Court directed the Petitioner to deposit the awarded amount to demonstrate its *bona fides*, the Petitioner failed to comply despite repeated opportunities, repeatedly citing financial constraints. While the Petitioner argues economic hardship due to cotton prices, the law is well-settled that financial inability is not a valid defense for the non-payment of minimum wages.

10. Admittedly, the fact remains that these labourers have been deprived of their basic statutory entitlements for a prolonged period. The Petitioner is under a legal obligation to comply with the Tribunal's order, and its persistent failure to deposit even the determined arrears by the tribunal reflects a clear lack of *bona fides*. The attempt of the Petitioner is to evade its statutory obligations and frustrate the award, which cannot be countenanced by this Court.

11. This Court finds that the Industrial Court properly considered the undisputed length of service and the subsistence of the employer-employee relationship to determine the rightful entitlement of the Respondents. The contention that the work was temporary is belied by the Petitioner's own record of the employees' continuous engagement since 2006.

12. Apart from the above, the Industrial Court has recorded a categorical finding that the Petitioner engaged in unfair labour practices under Item 9 of Schedule IV of the MRTU & PULP Act, 1971. The direction to pay the differential amount between the actual wages paid and the rates prescribed under the Minimum Wages Act is a direct consequence of this finding. Given the admitted position that the wages paid were below the statutory floor, such findings are consistent with the law and do not warrant any interference under the extraordinary jurisdiction of this Court.

13. As regards the contention relating to Section 86C of the Maharashtra Industrial Relations Act, 1946, it is noted that while the issue of wages could potentially have been referred to the Wage Board under Section 86A, no such reference was ever made by the Petitioner, nor was any decision rendered by such a Board. Thus, in the absence of any pending proceedings or prior determination by the Wage Board, it cannot be regarded that the complaint before the Industrial Court was not maintainable. Consequently, the objection raised regarding the jurisdiction of the Industrial Court is found to be untenable.

14. The Hon'ble Supreme Court, in the case of **Nandi Infrastructure Corridor Enterprises Ltd. vs. Gorakhnath**¹, has delineated the scope of jurisdiction under Article 227 of the Constitution of India. It is well-settled that this Court, while exercising its supervisory jurisdiction, does not act as a court of appeal to re-appreciate evidence but only ensures that the subordinate court has acted within the bounds of its authority.

15. In the present case, the Petitioner has failed to demonstrate any perversity, jurisdictional error, or patent illegality in the impugned order. The employees have established that they were engaged since 2006 and have been continuously rendering service for over a decade. The Industrial Court has rightly considered their statutory entitlements in letter and spirit, acknowledging that labor laws are beneficial in nature and must be interpreted to protect the vulnerable class of workers.

16. Thus, the Petitioner's failure to comply with the Minimum Wages Act cannot be countenanced by claims of financial hardship, especially when the employees have contributed their employees for nearly two decades.

¹ 2026 INSC 434

17. The employees, categorized as skilled, semi-skilled, and unskilled labourers, are entitled to wages in accordance with the specific notifications issued by the Government of Maharashtra from time to time. The Petitioner has failed to adhere to these mandatory statutory requirements, choosing instead to pay stagnant or sub-standard wages.

18. The determination made by the Tribunal, being based on these statutory notifications, therefore deserves to be upheld and endorsed in its entirety.

19. In view of the aforesaid peculiar facts and circumstances, the conduct of the Petitioner while denying basic statutory entitlements to the employees for over a decade does not merit any indulgence in the present proceedings.

20. The petitions are devoid of merit and stands dismissed with costs.

[SACHIN S. DESHMUKH, J.]

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JAMADAR
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