

Kavita S.J.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12868 OF 2025

Berger Paints India Limited

...Petitioner

Versus

State of Maharashtra & Ors.,

...Respondents

Mr. Piyush Raheja a/w Mr. Akash Loya, Mr. Tushar Kadam, Mr. Tanish Amin i/b MDP Associates for Petitioner.

Mr. P.P. Kakade, Addl. GP a/w Smt. P.N. Diwar, AGP for Respondent No.1 – State.

Mr. B.S. Mahamulkar for Respondent Nos. 2 & 3 (thru V.C.).

CORAM : R.I. CHAGLA AND
ADVAIT M. SETHNA, JJ.

DATED : 17TH MARCH, 2026.

ORDER :

1. By this Writ Petition, the Petitioner is *inter alia* seeking direction to Respondent No.1 – State to decide Petitioners' Application dated 17th August, 2021 on applicability of the Mathadi Act expeditiously i.e. within one month. This is the only prayer which has been pressed by the Petitioner.

2. By the said Application dated 17th August 2021, the Petitioner has sought exemption under Sections 5 and 22 of the

KAVITA
SUSHIL
JADHAV

Digitally signed
by KAVITA
SUSHIL JADHAV
Date:
2026.03.18
17:27:39 +0530

Maharashtra Mathadi Hamal and Other Manual Workers (Regulation of Employment and Welfare) Act, 1969 (“the Act”).

3. The learned Counsel appearing for the Respondent Nos. 2 and 3 – Mathadi Board has raised the contention that the exemption cannot be considered by the State Government under Sections 5 and 22 as it is not the Petitioners’ case that the workers of the Petitioner are in enjoyment of benefits which are on the whole not less favourable than the benefits provided under the scheme of the Act.

4. By keeping all the contentions of the parties open, we direct Respondent No.1 – State to decide the Petitioner’s Application dated 17th August 2021, within a period of eight weeks from today.

5. Till the decision is communicated by Respondent No.1 – State to the Petitioner, no coercive steps shall be taken by Respondent No.2 – Mathadi Board.

6. The Writ Petition is accordingly disposed of in the above terms.

7. There shall be no orders as to costs.
8. It is made clear that we have not considered the merits of the case.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA, J.]