

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1570 OF 2023

Shramik Janata Sangh Thr Its General .. Petitioners
Secretary and ors

Versus

The State of Maharashtra Thr the .. Respondents
Secretary Dept of Social Justice and
Special Assistance and ors

...

Ms. Gayatri Singh, Senior Advocate, a/w Adv. Khilil Ur Rehman for the Petitioners.

Mr. O.A. Chandurkar, Addl. GP. a/w Mr. V.G. Badgujar, AGP for Respondent-State.

Mr. Samadhan Ingle, Assistant Commissioner, Social Welfare, Thane.

CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.
DATED : 5th FEBRUARY, 2026

P.C:-

1. In continuation of our order dated 14/01/2026, the learned Advocate Mr. Chandurkar has placed on record a report from the Deputy Commissioner, Social Welfare, Maharashtra State, Pune, addressed to the Principal Secretary, Social Justice and Special Assistance Department, as regards Ritik Rohidas Kurkute and seeking necessary guidance.

The said communication is taken on record and marked 'X' for identification.

From the said communication, it is noted that a compensation of Rs. 2,50,000/- has been paid by the Executive Engineer, Maharashtra State Electricity Board, to the family of the deceased Ritik, as according to the Department, he came into contact with a service wire while he was engaged in the activity of cleaning *nalla* behind a building near the cemetery at Tisgaon, Kalyan, District Thane, and the cause of death was on account of electric shock, and a report to that effect was submitted by the Electricity Inspector on 22/08/2023.

Further reliance is also placed upon the definition of 'manual scavenger' under section 2(1)(g) of the Act, and it is attempted to canvass before us that, any individual who is engaged in cleaning, carrying, disposing of, or otherwise handling in any manner, human excreta in an insanitary latrine or in open drain or pit into which the human excreta from insanitary latrines is disposed of, or on a railway track or in such other spaces or premises, as notified by the Central Government, the work carried out is 'manual scavenging'. Since it is suggested that the deceased Ritik was cleaning a *nalla* and not engaged in manual scavenging, the compensation under the Act is not available to him.

2. A copy of the said communication is also handed over to the learned Senior Counsel Ms. Gayatri Singh, and we expect her to produce on record the relevant material as regards the circumstances in which the death of Ritik occurred and what was the actual work which he was undertaking.

As she inform us that no FIR is registered, she may rely upon the documents which were considered at the time of grant of

compensation by the concerned department, or any other relevant documents which are in her possession.

In addition, as directed by us, Ms. Singh has also placed before us her suggestions and while we accept the same on record, we expect Mr. Chandurkar to respond to the same through the concerned department of the State Government.

Ms. Singh also submit that, non- registration of an FIR in such case is also one of the concern expressed by her and definitely it is pertinent in a case like that of Ritik which is presently before us.

List on 4/03/2026.

(MANJUSHA DESHPANDE, J.)

(BHARATI DANGRE, J.)