

**IN THE HIGH COURT OF BOMBAY AT GOA**

MISC.CIVIL APPLICATION NO. 123 OF 2015

IN

WRIT PETITION NO. 93 OF 2014

SHRI. LESLIE FERNANDES.

... Applicant

Versus

WALLACE PHARMACEUTICALS PRIVATE  
LIMITED REP. BY ITS AUTHO. REP.

SHRI. EURICO NORONHA.

... Respondent

Shri Gaurish N. Agni, Advocate for the applicant. Shri Pulkit  
Bandodkar, Advocate for the respondents.

Coram:- F. M. REIS, J.

Date:- 3rd July, 2015

P.C.:

Heard Shri Agni, learned Counsel appearing for the  
applicant and Shri P. Bandodkar, learned Counsel appearing for the  
respondent.

2. This is an application filed by the applicant/original  
respondent to the petition to direct the respondent/petitioner to the  
petition, to effect the payment in terms of Section 17-B of the  
Industrial Disputes Act.

3. Shri Bandodkar, learned Counsel appearing for the  
respondent states that he is not opposing, at this moment, grant of ad  
interim relief as far as reinstatement is concerned. Shri Agni,  
learned Counsel appearing for the applicant, however, points out that

the respondent is liable to pay the amount in terms of Section 17-B of the I.D. Act from the date of the Award upto the date of reinstatement. But, however, Shri Bandodkar, appearing for the respondent disputes the said proposition and submits that such payment is to be effected from date of the application filed by the applicant herein.

4. Be that as it may, the respondent is directed to pay the amount in terms of Section 17-B of the I.D. Act, from the date of the Award upto the date of reinstatement, within one month. The contention of Shri Bandodkar whether such amount is to be paid from the date of the application or from the date of the Award, is left open to be examined at the time of hearing of the writ petition. Shri Agni, however, has an apprehension that the reinstatement may not be in terms of the Award, but, however, Shri Bandodkar, upon instructions, states that the reinstatement shall be in terms of the Award impugned in the writ petition. Accepting the statements of the learned Counsel and with the directions referred to hereinabove, the application stands disposed of.

5. Place the Writ Petition for final hearing in the month of August, 2015.

F. M. REIS, J.

ssm.