

IN THE HIGH COURT OF BOMBAY AT GOA

M.C.A. NO. 803 of 2014

AND

M.C.A. NO.804 OF 2014

M.C.A. NO. 803 of 2014

MARMAGOA STEEL LTD.

REP. BY ITS VICE PRESIDENT

SHRI ALEXANDER A.C. RODRIGUES APPLICANTS

V/S

MARMAGOA STEEL EMPLOYEES UNION

THR. ITS PRESIDENT AND 3 ORS. RESPONDENTS

M.C.A. NO.804 OF 2014

MARMAGOA STEEL LTD.

THR. ITS MANAGING DIRECTOR

SHRI ALEXANDER A.C. RODRIGUES. APPLICANTS

V/S

MARMAGOA STEEL EMPLOYEES UNION

AND 2 ORS., RESPONDENTS

Mr. V. Palekar, Advocate for the Applicant.

Mr. M. Pinto, Advocate for the Respondent.

CORAM: N. M. JAMDAR, J.

DATE: 6TH FEBRUARY, 2015.

ORAL ORDER:

Heard Mr. V. Palekar, learned counsel for the Applicants
and Mr. M. Pinto, learned counsel for the Respondents.

2. By these two applications, the applicant-employer seeks leave to withdraw certain amounts which were deposited in this Court.

3. In M.C.A. No.803 of 2014, leave is sought to withdraw Rs.1,87,068/-. According to the learned counsel for the applicant in the award which was challenged in W.P. No.460/2014, the Industrial Court had directed to pay Rs.1,60,000/- to the workmen.

4. In M.C.A. No.804/2014, it is stated that the amount of 3,90,516/- was deposited in the registry of this Court. The Award which was challenged in W.P. No.461/2004, it was directed that total amount of Rs.4,00,000/- is to be paid to the workmen.

5. The learned counsel for the applicant states that these amounts be permitted to be withdrawn by the applicant and it will pay the amounts to the workmen as per the award and retain the balance amount.

6. The learned counsel for the respondent/workmen states that there is one more award which was passed by the Industrial Tribunal i.e. 4/2000 in respect of the other employees, in which the applicant is directed to pay the amount to the workmen. The learned counsel for the respondent submitted that instead of permitting the applicant to withdraw the excess amount, the amount deposited in this Court can be adjusted towards the award in case no.4/2000. The learned counsel for the applicant submitted that the appropriate course of action would be to transfer the amount deposited in the registry of this Court to the Industrial Court who has passed all the 3 awards and the parties can make their appropriate applications for adjustment etc. The learned counsel for the respondent has no objection.

7. Accordingly the applications are disposed of by directing the registry to transfer the aforesaid amounts deposited in the registry of

this Court along with the interest accrued to the Industrial Tribunal, Panaji-Goa, within a period of 3 weeks from today. It will be open to the parties to make appropriate applications before the Industrial tribunal for withdrawal/adjusting etc. the amount, which will be considered on its own merits. The applications are disposed of.

N. M. JAMDAR, J.

Ap/-