

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10942 OF 2014

Herzel Simon .Petitioner

v/s.

The State of Maharashtra & ors .Respondents

Ms Neeta Karnik, Advocate, for the Petitioner
Mr.V.N.Sagare, AGP, for the Respondent - State
Mr.K.M.Naik, Senior Counsel a/w. Mr.S.P.Salkar &
Mr.H.Telkar, for the Respondent No.4

**CORAM : ANOOP V. MOHTA &
A.A.SAYED, JJ.**

DATE : 30.11.2015

ORDER

. By consent heard finally.

2. After hearing the parties, both the counsel conceded to the position that by order dated 19.11.2015 passed by the Labour Officer-3, Chennai (translated copy) dealing with the dispute in case of similarly situated employee of the same employer, the reference was allowed. Therefore, by keeping all contentions open, the

impugned order dated 25.09.2014 is quashed and set aside. The matter is remanded back to the Respondent No.3 for consideration afresh by giving an opportunity to all the concerned. Both the parties are at liberty to file additional documents in support of their contentions. The Respondent No.3 to decide the same within a period of eight weeks.

3. The Writ Petition is disposed of accordingly. No order as to costs.

(A.A.SAYED, J.)

(ANOOP V. MOHTA, J.)