

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.***

WRIT PETITION NO. 1664 OF 2015

M/s.Bombay Forgings Pvt. Ltd. ... Petitioner

v/s

Association of Engineering Workers ... Respondent

Mr.T.K.Prabhakaran i/by Rakesh Reddy for the petitioner.

Mr.N.M.Ganguli for the respondent.

CORAM: N.M. JAMDAR, J.

DATED : 8 DECEMBER 2015

P.C.:

Learned counsel for the Respondent, after arguing the matter for some time and considering the position of law cited by the learned counsel for the Petitioner, states that the Respondent will file a separate writ petition challenging the order passed by the Industrial Court on 19 October 2010 and will not act upon the orders impugned in this petition i.e. of condoning the delay and reviewing the order dated 19 October 2010. These statements are accepted.

2. It is clarified that, in case the Respondent files an independent writ petition, considering the fact that the basic

entitlement of the members of the Respondent has been confirmed by this Court and the issue is of calculations, the delay on the part of the Respondent would be favourably considered.

3. In view of the above position, the impugned orders dated 20 November 2012 and 26 February 2015, and proceedings from which the impugned orders arise, are quashed and set aside.

4. All contentions of parties on the merits of the correctness of the order dated 19 October 2010, are kept open.

(N. M. JAMDAR, J.)