

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAO) NO. 2144 OF 2015

IN

MISC. CIVIL APPLICATION NO. 1185 OF 2015

IN

WRIT PETITION NO. 1808 OF 2007.

(RASHTRIYA MAZDOOR MANCH..VS..M/S. ELLORA PAPER MILLS & ANR.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M.D.Lakhe, Advocate for Petitioner.
Shri V.D.Muley, Advocate for Respondent No.1.
Shri A.K.Bangadkar, Advocate for Respondent No.2.

CORAM : Z.A.HAQ, J.

DATED : DECEMBER 23, 2015.

This is an application for speaking to minutes praying for correction in the order dated 29th October, 2015. The learned advocates for the respective parties submit that it is a typographical error.

Accepting the submissions made by the learned advocates for the respective parties, which I find to be correct, the order dated 29th October, 2015 is modified and consequently the judgment given in Writ Petition No. 1808 of 2007 on 14th August, 2015 is also modified as follows :

In paragraph No.15 of the judgment given in Writ Petition No. 1808 of 2007 on 14/08/2015 clause, (ii) shall be substituted as follows :

“(ii-a) The respondent No.1 is directed to make available to its employees, who were in employment during the relevant period

i.e. when the notification dated 20.07.2004 became effective, till the end of February 2006, 50% of the monetary emoluments payable on the basis of the notification dated 20.07.2004 and in addition the emoluments as per clause 3(1) to clause 3(5) of the settlement dated 09.10.2000. The arrears calculated as above shall be paid to the employees, till 30th June, 2016.

If the amount is not paid within the stipulated time, the respondent No.1 shall be liable to pay interest on the amount payable to each employee, @ 9% per annum, the interest being chargeable from 1st November, 2015 till the amount is paid to the concerned employee.”

The above correction be carried out in the judgment and certified copy be given to the parties.

The civil application is allowed in the above terms.

JUDGE