

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3898 OF 2016

GOVIND AVDHUT KULKARNI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Smt.Pathan Tahiwarekhan Wajeedkhan.
AGP for Respondent 1 / State : Shri S.D.Kaldate.
...

**CORAM: RAVINDRA V. GHUGE, J.
DATE :- 23rd August, 2016**

Per Court:

1 This petition is filed by the Petitioner for seeking the execution of the judgment and order of the Labour Court dated 20.12.1994. Prayer clause (B) reads as under:-

“(B) By issuing appropriate writ, directions and/or order of the similar nature, the Respondents authorities may kindly be directed to pay full back wages to the Petitioner which are due for twenty years amounting to Rs.43,76,120/- as per the judgment and order of the Labour Court, which is kept intact by the Hon'ble Apex Court.”

2 The learned Advocate for the Petitioner submits that the Petitioner had approached the learned Division Bench of this Court. By order dated 05.04.2016, the learned Division Bench (Coram : S.S.Shinde and S.S.Patil, JJ.) has granted liberty to the Petitioner either to approach the Labour Court or move the learned Single Judge Bench of this Court.

The learned Advocate, therefore, submits that this petition be entertained by this Court.

3 The Labour Court had delivered the judgment dated 21.12.1994 in Complaint (ULP) No.115/1991. Revision (ULP) No.24/1995 filed by the Employer was dismissed by the Industrial Court vide judgment dated 18.01.1996. The Employer then approached this Court in Writ Petition No.1446/1996. By order dated 16.04.2015, this Court disposed of the said petition considering the order dated 16.01.2015 passed by the Honourable Supreme Court in Civil Appeal No.524/2015.

4 This Court in its writ and/or supervisory jurisdiction and in the absence of any challenge to any judgment or order passed by the Labour Court or the Industrial Court, cannot issue a direction by which the Respondents would be directed to execute the order of the Labour Court.

5 In view of the above, this Writ Petition is misconceived and cannot be entertained by this Court. The same is, therefore, dismissed.