

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

**CIVIL APPLICATION NO. 3075 OF 2015
IN
WRIT PETITION NO. 4849 OF 2012**

Smt.Lata Pandit Kanse ...Applicant

In the matter between

Yeashwant Ayurvedic Dharmarth Hospital ...Petitioner

VS.

Smt.Lata Pandit Kanse ...Respondent

AND

**CIVIL APPLICATION NO. 700 OF 2016
IN
WRIT PETITION NO. 4952 OF 2012**

Mr.Tukaram Dagdu Magdum ...Applicant

In the matter between

Yeashwant Ayurvedic Dharmarth Hospital ...Petitioner

VS.

Mr.Tukaram Dagdu Magdum ...Respondent

AND

**CIVIL APPLICATION NO. 1021 OF 2016
IN
WRIT PETITION NO. 4895 OF 2012**

Mr.Satish Jaysingh KumbharApplicant

In the matter between

Yeashwant Ayurvedic Dharmarth Hospital ...Petitioner

VS.

Mr.Satish Jaysingh KumbharRespondent

AND

**CIVIL APPLICATION NO. 1022 OF 2016
IN**

WRIT PETITION NO. 4894 OF 2012

Mr.Ashok Dattatray SalokheApplicant

In the matter between

Yeashwant Ayurvedic Dharmarth Hospital ...Petitioner

vs.

Mr.Ashok Dattatray SalokheRespondent

AND

CIVIL APPLICATION NO. 1024 OF 2016

IN

WRIT PETITION NO. 4875 OF 2012

Mr.Jeewanangan Pandurang RokadeApplicant

In the matter between

Yeashwant Ayurvedic Dharmarth Hospital ...Petitioner

vs.

Mr.Jeewanangan Pandurang RokadeRespondent

Mr.Prashant P. Chawan with Ravindra R. Chile for Applicant.

Mr.M.S. Topkar for Petitioner for Petitioner in all petitions.

CORAM : S.C. GUPTE, J.

29 APRIL 2016

P.C. :

These civil applications seek direction against the Labour Court at Kolhapur to proceed with the reference. The reference, in question, was filed by the Applicants in these civil applications. The complaint under the reference was in respect of termination of services of the Applicants by the Respondent establishment (original Petitioners in the writ petitions).

2 Heard learned Counsel for the parties.

3 By consent of parties, the civil applications are allowed in terms of

prayer clause (b). The 1st Labour Court, Kolhapur is, accordingly, directed to proceed with the reference, being Reference (IDA) Nos.13/2008, 10/2008, 12/2008, 11/2008 and 9/2008, respectively, in accordance with law. All rights and contentions of the parties on merits of the amended reference are kept open, to be agitated before the Labour Court at the hearing of the reference. The order of stay granted by this court in the petitions herein on 29 October 2012 is modified, accordingly. The reference was amended by an order dated 20 February 2015. The contention of the Respondent to the civil applications that it will be open to it to argue that the complaint is attributable to the employer only with effect from the date of the amendment, is kept open.

(S.C. Gupte, J.)