

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1805 OF 2016
IN
WRIT PETITION NO. 6905 OF 2007

Bhalchandra Ranjit Rai .. Applicant

In the matter of:
Shreeram Processors Pvt. Ltd. .. Petitioner

V/s
Bhalchandra Ranjit Rai .. Respondent

Mr. Yogendra Pendse for the applicant.
None for the respondent.

CORAM: D.H. WAGHELA, CJ.

DATE : 22nd JULY 2016

P.C.:

This application is made in Writ Petition No. 6905 of 2007 which is pending. The petition has called into question the award and order dated 22nd March 2006 of the Labour Court, Thane by which the respondent (original petitioner) is directed to reinstate the applicant herein with continuity of service and backwages with effect from 20th November 1997.

2. No one is present for the respondent, even as the civil application was listed for hearing earlier on 19th July 2016 and again fixed for hearing today.

3. The applicant has claimed wages under section 17B of the Industrial Disputes Act, 1947 and filed affidavit dated 22nd April 2016 stating that he is not employed in any establishment and has been surviving only on the help by his brother. The facts stated in the affidavit are not controverted by the respondent. Therefore, the application is allowed and the respondent is directed to pay the last drawn salary to the applicant with effect from 22nd November 2007 on which date the petition was admitted and injunction staying the impugned order was granted.

4. The application is accordingly disposed as allowed.

(CHIEF JUSTICE)