

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1806 OF 2016
IN
WRIT PETITION NO. 6906 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, challenging the award and order dated 22nd March 2006 of the Labour Court, Thane in Reference IDA No. 56 of 1999. The operation of that award directing reinstatement of the applicant with continuity of service and full backwages with effect from 20th November 1997 is stayed while admitting the petition on 22nd November 2007. As recorded in the order dated 22nd November 2007 in the main Writ Petition 6905 of 2007, an amount of Rs.2,91,500/- has been deposited with the Registry of the Court. It is not clear whether that amount has been properly invested.

However, there is a letter dated 1st March 2012 of the respondent company, inter alia, stating that they have deposited the amount of Rs.2,91,500/- by a demand draft dated 17th November 2007 in favour of the Registrar, High Court, Bombay and have also enclosed the declaration which was required to be forwarded by the Registrar/Prothonotary & Senior Master to the concerned bank to deduct TDS in the name of the company under section 194A of the Income Tax Act, 1961. Thus, some amount lesser than Rs.2,91,500/- may be available for disbursement or if the amounts were duly invested in the meantime, interest may have accrued on that.

2. In the absence of any objection from either side and in view of prolonged pendency of the petition, while an exparte injunction has been operating against implementation of the impugned award, it is directed that the amount available with the Registry out of the amount deposited by the respondent, along with interest accrued thereon, if any, shall be paid to the applicant by an account payee cheque in his name and such cheque shall be delivered to him after proper verification of his identity and his identification by his advocate.

34. The main Writ Petition No. 6905 of 2007 shall be listed for final hearing on 31st August 2016. The application stands disposed accordingly.

(CHIEF JUSTICE)