

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8466 OF 2016**

**Priyatech Solutions (Pune) Pvt Ltd
through its Director Mr. Prafula Mahajan**

..Petitioners

Vs.

Sameer Jagtap & Ors.

..Respondents

Mr. Nitin Arvind Kulkarni for the Petitioner

Mr A. M. Sanap and Mr. S. A. More for the Respondents

CORAM : R. M. SAVANT, J.

DATE : 5th OCTOBER, 2016

Oral Order

1 The Learned Counsel for the parties are agreeable to the above
Petition being heard finally.

2 The above Petition takes exception to the order dated 30-3-2016
passed by the Assistant Commissioner of Labour Pune, exercising powers
under Section 20 of the Minimum Wages Act by which order, the application
filed by the Respondent claiming the difference in the amount under Minimum
Wages Act for the period 1-3-2011 to 15-8-2014, came to be rejected. The said
rejection is by a cryptic one line order which records that after hearing the
arguments the application is rejected. The said order is principally challenged
on the ground that the said order is a non speaking order and does not refer to
the contentions raised on behalf of the Petitioners i.e. the Applicants.

3 In my view, having regard to the fact that the impugned order dated 30-3-2016 is a non speaking order and since the Assistant Labour Commissioner can be said to be exercising quasi judicial powers under Section 20 of the said Act, it would be just and proper to set aside the impugned order dated 30-3-2016 and remit the application back to the Assistant Commissioner of Labour Court for a denovo consideration of the same. The impugned order dated 30-3-2016 is accordingly set aside and the Assistant Commissioner of Labour Court Pune is directed to consider the said application denovo and passed appropriate orders in accordance with law. In terms of the observations made hereinabove,

4 The above Petition is allowed to the aforesaid extent. Rule is accordingly made absolute in the aforesaid terms with parties to bear their respective costs of the Petition.

[R.M.SAVANT, J]