

sg

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**WRIT PETITION NO.484 OF 2016
WITH
WRIT PETITION NO.485 OF 2016**

M/s. Laxmi Gas Service	...Petitioner
vs	
The State of Maharashtra And Anr.	...Respondents

.....

Mr. Pradeep Havnur, for the Petitioner in both Petitions.

Mr. A.G. Nagvekar, for Respondent No.2 in both Petitions.

Mrs. M.S. Bane, 'B' Panel Counsel, for State in both Petitions.

.....

CORAM : S.C. GUPTE, J.

DATED: APRIL 22, 2016

P.C. :

. Heard learned Counsel for the parties. The petitions are disposed of by consent of Counsel on both sides in terms of the following order :-

The impugned order of the Labour Court dated 21 November 2015 is set aside and the reference is remanded to the Labour Court for a fresh hearing in accordance with law. The Petitioner herein, who is the Respondent in the reference, accepts service of the reference. The Labour Court shall dispose of the reference after hearing both sides as expeditiously as possible and in any event within a period of six months from today. Since the 9th Labour Court, before whom the

original reference was argued and which passed the award of 11 June 2014, is not presided over by any Judge as of date, it is agreed between the parties that a suitable transfer application shall be made before the Industrial Court for transfer of the matter from 9th Labour Court to any other Labour Court. Upon such transfer, the reference shall be expeditiously decided by the Labour Court, preferably within a period of six months from the date of the transfer. A suitable joint application shall be moved by the parties before the Industrial Court before the ensuing Summer Vacation.

2. Needless to state that since the original award on the reference is set aside, there is no question of any party proceeding in pursuance thereof for implementation of the award.

(S.C. GUPTE, J.)