

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3243 OF 2017

SIEMENS Ltd.

.. Petitioner

VS.

Aurangabad Mathadi and Unprotected
Labour Board, through Deputy Commissioner
of Labour / Secretary and others

.. Respondents

Mr. S.V. Adwant, Advocate for the petitioner
Mr. P.P. Mandlik, Advocate for respondent no.1
Mr. S.G. Karlekar, A.G.P. for the respondent/State

**CORAM : S.C. DHARMADHIKARI &
MANGESH S. PATIL, JJ.**

DATE : 22-06-2017

ORAL ORDER :

1. After hearing both sides on 9th June, 2017, we passed
the following order :-

“ Let the advocate appearing for respondent-board
produce original files and records to show that they are
recovering the money, as arrears of land revenue. There
has been a determination and pursuant to the two
notices which are impugned in this petition.

2. We clarify to the learned advocate that, in the event no record as above is produced, this Court will proceed to pass such orders as are permissible in law.

3. At the request of advocate appearing for respondent-board, this matter therefore be listed on 22.06.2017 on the supplementary board. The ad interim order passed on 09.3.2017 to continue till the next date."

2. Today, it is fairly stated by Shri Mandlik, learned counsel for respondent no.1, on instructions, that after the notices were issued / served, there was no proper determination of the liability of the petitioner. Hence, the respondent-board would withdraw these notices. The board would take steps to hear the petitioner again and pass a reasoned order. It is only thereupon that notices as are issued and impugned in this Petition, would be issued. It is stated that fresh order would be passed within a period of six (6) months from today.

3. The meaning of all this is that, due process will be followed before fastening any liability on the petitioner.

4. All these statements made on instructions by Shri Mandlik are accepted as an undertaking to this Court.

5. The petitioner must co-operate in disposal of the proceedings within the aforesaid period.

6. In view thereof, the Writ Petition succeeds. It is disposed of accordingly.

7. This Court has expressed no opinion on the rival contentions and particularly on the stand reflected from the pleadings of the petitioner.

[MANGESH S. PATIL]
JUDGE

[S.C. DHARMADHIKARI]
JUDGE

arp/