

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.11571 of 2017
(The Metcon India Engineers and Contractors and another Vs.
Somnath Aneba Sarwade and others)

Mr.S.S.Rathi, Advocate for the applicants.
Mr.S.V.Suryawanshi, Advocate for respondent Nos. 1 and 3.
Mr.A.T.Jagtap h/f Mr.S.S.Choudhary, Advocate for respondent No.4.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 08/09/2017

PER COURT :

1. Respondent No.2 is yet to be served. Respondent Nos. 1, 2 and 3 were together in a single proceeding before the Labour Court and they had tendered the address of the General Secretary of their Union. Though the learned Advocate appears for respondent Nos. 1 and 3, he submits that he cannot appear for respondent No.2. This petition was actually dismissed as against respondent No.2 pursuant to the order dated 29/04/2016. However, it is indicated that the same has occurred on 11/08/2017.

2. Learned Advocate for the applicants has tendered the fresh address of respondent No.2

3. Considering the above and since the issue involved is with

regard to the recovery of money due from an employer, this civil application is allowed. On the condition that the petitioner/ establishment shall deposit an amount of Rs.5,000/- with the Advocate Associations' Bar Library, High Court, Aurangabad within 2 weeks from today, issue notice to respondent No.2 on the address mentioned in the cause title of the civil application, returnable on 04/10/2017. After service is complete, the writ petition shall be restored to the extent of respondent No.2.

(Ravindra V.Ghuge, J.)