

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1664 OF 2017
IN
WRIT PETITION NO.1153 OF 2017**

Newspaper Printers Employees Union ... Applicant/Petitioner

versus

Bennett Coleman and Co. Ltd. and Anr. ... Respondent

Ms. Karishma Rao i/by R.A.Amonkar, for Applicant/Petitioners.

Mr. Vijay Hiremath with Mr. Devyani Kulkarni, for Respondent No.1.

CORAM: S.J. KATHAWALLA, J.

DATE: 11th OCTOBER, 2017

P.C.:

1. By a final award of the Industrial Tribunal dated 14-09-2015 in Reference (IT) No.11 of 2011, it was held that the employees listed at Annexure A to the Reference, are not the direct and permanent employees of Respondent No.1. By the above Writ Petition, the said order dated 14-09-2015 is impugned by the Petitioner Union. Admittedly, the employees of the Petitioner Union have worked upto July 2010. The above Civil Application is taken out by the Applicant/Petitioner stating that the workmen are jobless since July 2010 and are finding it extremely difficult to support themselves and their families especially in these days of unprecedented inflation. They have therefore, sought permission of this Court to apply to the Provident Fund Authority under the Regional Provident Fund Commissioner, Pune to

pay the provident fund dues to the workers which are lying to their credit so that they may be able to sustain themselves.

2. In view thereof, the following order is passed :

(i) Pending the hearing and final disposal of the above Writ Petition and without prejudice to the rights and contentions of the parties including the contention of the workmen that they are direct and permanent employees of Respondent No.1 and entitled to reinstatement with full back wages with continuity of service, the workmen of the Petitioner's Union whose services have been terminated in July 2010, are allowed to withdraw their provident fund dues lying with the concerned local office of the Regional Provident Fund Office, Pune.

(ii) The Office of the Regional Provident Fund Commissioner, Pune, shall endeavour to pay the amounts due to the employees of the Petitioner Union within a period of two weeks from the date of this order.

(iii) The Civil Application is accordingly disposed off.

(S.J.KATHAWALLA, J.)