

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 9834 OF 2016**

M/s. Raymond Ltd.	]	Petitioner
Vs.		
Balu Anna Mohite	]	Respondent

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Mr. Sudhir Talsania, Sr. Advocate a/w Mr. R.V. Paranjape, for petitioner.

Mr. Shaikh Mohammad Aslam, for respondent.

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CORAM : R.G. KETKAR, J.

DATE : 21ST JULY, 2017.

P.C.

Heard Mr. Talsania, learned Senior Counsel for the petitioner and Mr. Shaikh, learned Counsel for the respondent at length.⁷

2. By this Petition under Articles 226 and 227 of the Constitution of India, the petitioner has challenged the judgment and order dated 25th January, 2016 passed by the learned Member, Industrial Court, Thane [for short 'Tribunal'] in Complaint (U.L.P) No. 278 of 2009. By that order, the Tribunal partly allowed the complaint filed by respondent u/s 28 read with Items No.5,6,9 and 10 of Schedule IV of the Maharashtra Recognition of Trade Union and Prevention of Unfair Labour Practices Act, 1971 [for short 'Act'] and

declared that petitioner and its factory manager have engaged in unfair labour practice under Items 5 and 6 of Schedule IV of the Act and they were directed to cease and desist from continuing the unfair labour practice henceforth. The petitioner was directed to make the complainants permanent in service from the date of filing of the complaint i.e from 19.11.2009 and give them benefits of VRS as per agreement dated 22nd October, 2010 within a period of two months from the date of the order.

3. Learned Counsel appearing for the parties submit that controversy raised in this Petition is covered by the decision in Writ Petition No. 5019 of 2016.

4. In view thereof and for the reasons recorded in the order separately passed in Writ Petition No. 5019 of 2016, Petition fails and the same is dismissed. Order accordingly.

[R.G. KETKAR, J.]