

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

**CIVIL APPLICATION NO.1919 OF 2017
IN
WRIT PETITION NO.3892 OF 2017**

Ratnagiri Gas and Power Private Limited ... Applicant

In the matter between :

Ratnagiri Gas and Power Private Limited ... Petitioner

Versus

Dabhol Veej Prakalp Kamgar Sangh

And Others ... Respondents

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Mr. Sudhir Talsania, Senior Advocate i/b M/s T.N. Tripathi & Co., for the Applicant.

Mr. Kiran Bapat a/w Mr. Ravindra Nair Nair for Respondent No.1.

Mr. Meelan Topkar for Respondent No.4.

Mr. Rajendra S. Khata, Joint Secretary present in Court.

Mr. Sampat Kashiram Shinde, Joint Treasurer present in Court.

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CORAM : PRASANNA B. VARALE, J.

DATE : 10 AUGUST 2017

P.C. :

. Heard learned Counsel for the parties.

2 Learned Counsel appearing for the Applicant/Petitioner submitted that in peculiar circumstances, the Applicant/Petitioner had approached this Court. Learned Counsel by inviting my attention to the order passed by this Court, namely, the order dated 21 April 2017 submitted that a statement was made before this Court on behalf of Respondent No.1 that

till next date, they will not take any coercive action to enforce the judgment dated 7 January 2017 passed by the Industrial Court, Kolhapur in Complaint (ULP) No.321 of 2002. The statement is accepted by this Court. Learned Counsel submits that subsequently, the matter was adjourned to 19 June 2017 and again it was adjourned at the request of learned Counsel appearing for Respondent No.1. Learned Counsel for the Applicant/Petitioner submits that as the statement is made before this Court, the same would be maintained and unfortunately, the Applicant/Petitioner was shocked to receive newspaper report and representation made to the Hon'ble President of India and Hon'ble Prime Minister of India. Learned Counsel then invited my attention to copy of the newspaper report placed on record, particularly, page 16 of Exhibit-3. The newspaper report read that Respondent No.1 gave a threat to proceed and agitate for non-compliance of the order of the Labour Court and also threat of self-immolation on 15 August 2017 in front of Tahsildar Office, Guhagar.

3 Learned Counsel appearing for Respondent No.1 fairly submitted that the statement was made before this Court on 21 April 2017 and decision of Respondent No.1 of agitation and threat of self-immolation was never informed to learned Counsel, who is representing Respondent No.1. Learned Counsel appearing for Respondent No.1 was shocked and surprised to receive the Civil Application with Annexures of newspaper report and a copy of representation. Learned Counsel for Respondent No.1 submitted that today Mr. Rajendra S. Khata and Mr. Sampat Kashiram Shinde, who are office bearers of Respondent No.1 are present in this Court and they assure and undertake this Court that no steps of

either agitation or self-immolation would be taken. The statement is accepted. It is also made clear that if any attempt to commit breach of undertaking given to this Court on 21 April 2017 is made, the same would be treated seriously, including calling for an action for breach of undertaking given to this Court. In view of the statement made by the office bearers, who are present in the Court and in view of the fact that learned Counsel appearing for Respondent No.1 apprising these office bearers of the order of this Court, in my opinion, no further order is required to be passed in the application.

4 Office report show that further date of the petition is 4 December 2017 as computerized generated date, post the petition for further consideration on 4 December 2017. The parties are at liberty to circulate the matter, in case of any urgency.

5 Civil Application is disposed of accordingly.

(PRASANNA B. VARALE, J.)