

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION
WRIT PETITION NO. 9857 OF 2017

Moula Alibhai Pathan

... Petitioner

Versus

Schreiber Dynamix Dairies Limited

... Respondent

Ms. Saranga Ugalmugle for the Petitioner.

Mr. K.S. Bapat alongwith Mr. Jayesh Desai instructed by M/s. Desai & Desai Associates for the Respondent.

CORAM : S.J. KATHAWALLA, J.
DATED : 22nd NOVEMBER, 2017

P.C.:

1. Not on board. Upon mentioning, taken on board.
2. This application is for speaking to the minutes of the order dated 20th November, 2017.
3. The order dated 20th November, 2017 shall now read as under :-
 - (a) Heard the learned Advocates appearing for the parties and the following
Order is passed by consent :
 - i. The impugned order passed by the Industrial Court, Pune in Complaint (ULP) No. 177 of 2017, dated 10th August, 2017 is set aside.
 - ii. The complaint filed by Ms. Gauri Bharat More dated 5th May, 2017 against the Petitioner under the Sexual Harassment of Women at Workplace

(Prevention, Prohibition and Redressal) Act, 2013 shall be once again referred to the Enquiry Committee for fresh enquiry and the Committee shall pass / make appropriate directions / recommendations within a period of 12 weeks from the date of this order.

iii. The Petitioner shall not insist on a departmental enquiry.

iv. The Complaint being Complaint (ULP) No. 177 of 2017 shall be withdrawn by the Petitioner within a period of one week from the date of this order.

v. The Enquiry Committee shall if necessary proceed with the enquiry on day-to-day basis and conclude the same within a period of 12 weeks from the date of this order.

vi. The Enquiry Committee shall not grant any adjournment to either side unless absolutely necessary.

vii. All contentions of the parties are kept open.

viii. The above Writ Petition is accordingly disposed off.

4. The application for speaking to the minutes of order dated 20th November, 2017 is accordingly disposed off.

(S.J.KATHAWALLA, J.)