

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5428 OF 1999
WITH
WRIT PETITION NO. 947 OF 2000

KINETIC ENGINEERING LTD
VERSUS
BHANUDAS LAXMAN TARU AND OTHERS

Advocate for Petitioner : Shri P.L. Shahane.
Advocate for Respondent : Shri V.S. Bedre.

CORAM : RAVINDRA V. GHUGE, J.
Dated : 19th January, 2018

PER COURT :

1. Learned counsel for the Management submits that considering the various orders passed by this Court in these matters on 10/12/2012, 23/06/2017, 01/08/2017 and 19/01/2018, in Civil Application No. 904/2018, no contesting party remains in these matters and hence, both the matters may be disposed of as being infructuous.

2. Learned counsel for the Management further submits that considering the purshis filed by the employees in the first petition filed by them declaring that no dispute survives between the employees and Management, both these petitions be disposed of with the observation that there is no dispute surviving between the two sides.

3. Shri Shahane, learned advocate for the employees, who are petitioners in the first petition and respondents in the second petition, submits that these employees have got their names deleted from the proceedings in phases. However, they are not coming forward to issue instructions to him, as to whether these petitions are to be worked out or not. He, therefore, submits that the statement made by the learned counsel for the Management may be recorded while disposing of these petitions with liberty to any of the employees to seek redressal of his grievance in the event if any cause of action survives.

4. Considering the above, both these petitions are disposed by recording the statement of learned counsel for the Management made on instructions. It be noted that if any of the employees in these petitions finds his their grievance is not redressed, liberty to seek redressal is granted, subject to objections of the Management on law and on facts and in view of the judgments delivered by the Hon'ble Apex Court in the matters of Vividh Kamgar Sabha V/s. Kalyani Steel Limited and others [(2001) 2 SCC 381] and Cipla Limited Versus Maharashtra General Kamgar Union [AIR 2001 SC 1615].

(RAVINDRA V. GHUGE, J.)