

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

WRIT PETITION NO. 6015 OF 2013

Shivaji University, Kolhapur

...Petitioner

Vs.

Sou.Bharti Vishnu Chavhan & Ors.

...Respondents

Mr.Amit Borkar for Petitioner.

Mr.Sagar Mane for Respondent Nos.1 to 9.

CORAM : S.C. GUPTE, J.

DATE : 26 JUNE 2018

P.C. :

This petition challenges an order passed by the Labour Court at Kolhapur in an application made to it under Section 33C(2) of the Industrial Disputes Act. The dues of the original Applicants arise out of an order passed by the Industrial Court at Kolhapur giving them permanency and other benefits as per service rules and conditions. The directions for payment of dues was against both the University as well as the State Government. In its order on the application under Section 33C(2) of the Act, the Labour Court has directed both the University and the State to pay the dues of the Applicants.

2 The present petition is brought by the University before this court purportedly on the ground that the State Government is refusing to pay the dues on the basis of an earlier order passed in a connected matter by this court on 13 August 2013 (Writ Petition No. 7748 of 2012). By that order, this court had directed the Petitioner University alone to bear the burden of the dues of the Applicants. That order has since been varied in a

civil appeal by the Supreme Court directing the State Government to discharge the liability. It is clarified that the primary liability to pay this amount is of the State Government and must be discharged by it.

3 With these directions, this petition is disposed of.

(S.C. GUPTE, J.)