

complaints of the Petitioners and in Revision therefrom passed by the Industrial Court at Thane on 23 June 2001 are quashed and set aside;

(ii) The complaints, namely, Complaint (ULP) Nos.429 of 1986 and 440 of 1986 are remanded to the Labour Court at Thane for a fresh hearing on merits in accordance with law;

(iii) All rights and contentions of the parties on merits of the complaints are kept open.

3 It is clarified that it will not be open to the Labour Court to dismiss these complaints on the ground of multiplicity of proceedings. It will be open to the Respondent-company to contest the complaints on the ground of res-judicata or principles analogous thereto, if permissible in law. It will also be open to the Respondent-company to place on record the factum of gainful employment, if any, of the complainants with a view to oppose the relief of back wages. The complainants' case in this behalf and the Respondent's opposition thereto shall be considered by the Labour Court on their own merits and it will be open to both parties to raise such contentions in that behalf as they may deem fit.

4 The hearing of the complaints before the Labour Court at Thane is expedited. The parties shall appear before the Labour Court for directions on 16 July 2018 at 11.00 a.m., when the schedule of hearings can be fixed by the Labour Court. The Labour Court shall dispose of the complaints as

expeditiously as possible and in any event within a period of one year from 16 July 2018.

(S.C. GUPTE, J.)