

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

WRIT PETITION NO.4945 OF 2018

M/s. Oil and Natural Gas Corporation .. Petitioner
Vs.
The President, Oil Field Employees
Association and Ors. .. Respondents

Mr.Sudhir Talsania, Senior Advocate with Mr.R.V.Paranjpe for the petitioner.
Mr. S.Mishra, representative of Respondent No.1 present.
Mr.Sanjay Singhvi, Senior Advocate with Ms.Karishma Rao for the respondent
nos.2 and 3.

CORAM : A.K. MENON, J.

DATED : 2ND MAY, 2018.

P.C. :

1. Mr.Talsania, learned Senior Advocate appearing on behalf of the petitioner states that the order impugned in this petition are three in number. The first of which order is passed on 19th March, 2018 below Exhibit-7A directing the petitioner to make adhoc payments of arrears after preparing report of their entitlement in accordance with the Memorandum of Understanding of which no particulars are mentioned in the order impugned.. The other two orders impugned in this petition are dated 19th March, 2018 and 28th March, 2018 which permit impleadment of two applicants Maharashtra Employees

Union and Maharashtra Sanghatit Asanghatit Kamgar Sabha. He states on instructions that as far as the impugned orders of impleadment dated 19th March, 2018 and 27th March, 2018 are passed on Exhibit-6 and Exhibit-14 respectively before the Central Government Industrial Tribunal, Mumbai ("CGIT") the petitioners seek leave to file separate petitions and does not press for any relief in this petition.

2. As far as the impugned order passed on Exhibit-7A is concerned, both parties as well as Mr.Mishra appearing in person, who has since been represented by Mr.Singhvi on his instructions, states that the impugned order be set aside by consent and the matter be remanded for fresh consideration by the CGIT. On behalf of the respondents, Mr.Singhvi seeks liberty to amend the application Exhibit-7A and file additional documents, if any. In the circumstances I pass the following order :

- (i) Amendment if any to the Statement of Claim before the CGIT to incorporate particulars and additional documents if any in relation to the Settlement/MOU under which the complainants claim shall be sought within a period of two weeks from today. Additional reply and documents in support, if any shall be filed within two weeks thereafter.
- (ii) Upon amendment if any being allowed, the matter shall be heard afresh and disposed off within a period of three months of the additional reply being filed
- (iii) Petitioner shall in the meantime be at liberty to challenge the impugned

orders allowing impleadment dated 19th March, 2018 and 27th March, 2018 are passed on Exhibit-6 and Exhibit-14 respectively before the Central Government Industrial Tribunal, Mumbai ("CGIT").(iv) Petition is disposed of with liberty as aforesaid.

(A.K. MENON,J.)