

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.58 OF 2017

Rashtriya Shramik Aaghadi

...Petitioner

vs.

Pimpri-Chinchwad Municipal Corporation
and Others

...Respondents

Mr. P.S. Rao, Sr. Advocate a/w. Mr. V.L. Kolekar, for the Petitioner
Mr. N.V. Walavalkar, Sr. Advocate a/w. Mr. Rajesh Patil, for
Respondent Nos. 1 and 2.

Mr. Mayur Khandeparkar a/w. Mr. Ishaan Patkar I/b. Ms. Roshni
Naik, for Respondent Nos. 3 and 4.

Mr. Chetan Alai, for Respondent Nos. 7 and 8.

Mr. Kiran Bapat I/b. Desai & Desai, for Respondent Nos. 5 and 6.

**CORAM : SHANTANU KEMKAR &
N. W. SAMBRE, JJ.**

DATE : JULY 17, 2018

P.C.:

. By filing this Contempt Petition, the Petitioner has
alleged non compliance of the order dated 2nd March, 2007 passed
by the Division Bench of this Court in Writ Petition No. 5214 of
2005.

2. The Respondents have filed reply. The matter was heard
at length.

3. Having heard the matter at length, during the course of
hearing, the learned counsel for the parties have stated that since

many issues in regard to number of workers, to whom the payment is to be made, quantum of the amount which is payable qua their period of employment and the working hours, are not yet been decided by any Competent Authority. They submits that the matter can be resolved and the order passed by the High Court in Writ Petition No. 5214 of 2005 dated 2nd March, 2007 can very well be complied with by all the parties, if there is adjudication in regard to the aforesaid issues. They submits that the Additional Labour Commissioner, Pune may be directed to decide the controversy involved in this Contempt Petition in regard to the aforesaid issues i.e. ascertaining and confirming the number of workers who are entitled for the payment, quantum of the amount, the difference between the wages already paid by the P.C.M.C. and the amount payable etc.

4. In the circumstances, we direct the parties to submit their representation along with supported documents to the Additional Labour Commissioner, Pune within two weeks from today. The Respondents to submit response to the said representation within ten days thereafter.

5. On receipt of the said representation from the parties, the Additional Labour Commissioner shall give opportunity of

hearing to all concerned and shall adjudicate the issues as above within a period of three months from the date of appearance of the parties before him.

6. The parties to appear before the Commissioner on 7th August, 2018 at 11.00 am.

7. The parties shall not seek unnecessary adjournments and shall cooperate with the Commissioner for deciding the matter within time limit.

8. The Contempt Petition stands disposed of as such.

(N.W. SAMBRE, J.)

(SHANTANU KEMKAR, J.)