

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

WRIT PETITION NO.2694 OF 2013

Premier Limited .. Petitioner.

Vs.

Premier Employees Union & Ors. .. Respondents.

Mr.K.S.Bapat i/b M/s.Desai & Desai for the Petitioner.

Mr.Nitin Kulkarni for the Respondent Nos.1A, 1B and 1C.

CORAM : A.K. MENON, J.

DATED : 16TH JANUARY, 2019

P.C. .

1. At the outset Mr.Bapat, learned counsel for the petitioner states that this petition is no longer directed against of respondent no.1 in view of respondents.1A, 1B and 1C being impleaded. He seeks leave to delete respondent no.1. Leave granted and accordingly Respondent No.1 shall stand deleted.

2. The challenge in this petition is to the order dated 14th December, 2012 passed below Exhibit-U-2 in Complaint (ULP) No.233 of 2012 by the Industrial Court, Pune. The main complaint is still pending, however, the order was to operate as an interim protection inter alia directing the petitioner herein to deposit monthly wages of the five employees in that Court till disposal of the complaint and for the said amount to be invested.

Being aggrieved, the petitioner is before this Court. There is a controversy whether final settlement was offered or not between the parties.

3. Mr.Kulkarni, learned counsel appearing for respondent nos.1A, 1B and 1C states on instructions that his client does not insist upon compliance with paragraph 2 of the impugned order requiring deposit to be made and fairly submits that all issues can be decided in the main complaint. In view of the same, nothing survives in this petition and the petition can be disposed by passing the following order :

- (i) All issues between the petitioner and respondent nos.1A, 1B and 1C shall be decided finally in Complaint (ULP) No.233 of 2012 which is now pending before the Industrial Court.
- (ii) The disposal of this petition shall not influence the outcome of main complaint.

(A.K. MENON,J.)