

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

WRIT PETITION NO.12709 OF 2016

Anil J. Singh .. Petitioner.

Vs.

M/s.Pigments and Allied .. Respondent.

Mr.Ravindra B. Nair for the Petitioner.

Mr.G.R. Naik i/b G.R. Naik & Co. for the Respondent.

CORAM : A.K. MENON, J.

DATED : 29TH JANUARY, 2019

P.C. :

1. Heard.
2. Rule. Rule returnable forthwith. By consent taken up for final disposal.
3. The short controversy relates to entitlement of the petitioner to backwages beyond period of 10th November, 2007 which has been denied to the petitioner on the basis of findings that the establishment had closed due to financial stringency. The award itself records that no documentary evidence has been placed on record to establish closure. The scope of the petition being limited, the hearing is expedited.
4. In the meantime, learned counsel for the respondent states that he has already deposited the amount of backwages computed on the basis of

award i.e. for the period from 28th January, 2006 to 10th November, 2017 in the Labour Court. In the facts of this case, I deem it appropriate that the petitioner be permitted to withdraw the amount deposited. Hence, I pass the following order :

- (i) The Labour Court shall permit withdrawal of the amount deposited along with accrued interest, if any, within a period of four weeks from today on an application being made pursuant to this order.
- (ii) Petition is disposed in the aforesaid terms.
- (iii) Parties to act on authenticated copy of this order duly issued by the registry of this Court.

(A.K. MENON,J.)