

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 2009 OF 2018
IN
WRIT PETITION NO. 270 OF 2017**

Vishram Vasant Patankar

..Applicant
(Org. Respondent)

Vs.

Indian Bank through Ass. Gen.
Manager, Pune Zonal Office

.. Respondent
(Org. Petitioner)

Mr. N. P. Deshpande for the Applicant / Org. Respondent.

Mr. Anilkumar K. P. for the Respondent / Org. Petitioner.

CORAM : A.K. MENON, J.

DATED : 25th FEBRUARY, 2019.

P.C. :

1. Mr. Deshpande learned counsel on behalf of the applicant who is the original respondent in the Writ Petition states on instruction that his client have no objection if the matter is remanded and the award dated 20th June, 2016 is set aside since it is case of the petitioner-bank viz respondent in the reference that they were not heard in the matter.

2. In view of the consent of the respondent herein and in view of the fact that part of the backwages has already been secured by depositing in this Court a sum of Rs.13,21,030.35 ps which stands duly invested pursuant to orders of this Court, it will be appropriate that the petition be disposed.

Accordingly I pass the following order by consent of parties.

- (i) The impugned award dated 20th June, 2016 Exhibit E to the petition is hereby set aside.
- (ii) The Industrial Court, Pune shall hear the Reference (IT) No. 27/2014 afresh without being influenced by the course of events after the Award was passed.
- (iii) In view of the fact that the Reference is of the year 2014, the Industrial Court, Pune shall accord appropriate priority.
- (iv) In addition both the parties undertake through their Advocates not seek adjournments on the dates fixed by the Industrial Court.
- (v) Parties shall appear before the Labour Court on 18th March, 2019 at 11.00 am.
- (vi) Registry to forward copy of this order expeditiously.
- (vii) In the meantime the amount deposited shall continue to remain invested and shall be renewed upon maturity for further and similar periods.
- (viii) Petition disposed in the above terms.
- (ix) In view of the disposal of the petition Mr. Deshpande does not press Civil Application No. 2009/2018 and 2010/2018. Civil Applications are also disposed.
- (x) Parties to act on an authenticated copy of this order.

(A.K. MENON,J.)