

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

**CIVIL APPLICATION NO. 3039 OF 2017
AND
WRIT PETITION NO. 8202 OF 2017**

M/s.British Airways Plc	...Orig.Petitioner
vs.	
1. Union of India,	
2. Deputy Chief Labour Commissioner	...Original Respondents 1 & 2
and	
3. Kevin Tauro	...Applicant/Orig.Respondent No.3

Mr.Mohan Bir Singh with Rahul Jalan i/b. MBS & Co. for Applicant.
Mr.Sudhir Talsania, Senior Advocate i/b. R.V. Paranjape for
Respondent/original Petitioner.

CORAM : S.C. GUPTE, J.

DATE : 19 DECEMBER 2019

P.C. :

This civil application has been taken out in a pending writ petition. Rule was issued in the writ petition on 15 November 2017. The present civil application seeks relief of interim payment of wages under Section 17B of the Industrial Disputes Act, 1947 or principles analogous thereto.

2 After the matter is heard at some length, it is agreed between learned Counsel for the parties that the writ petition itself may be disposed of by quashing and setting aside the impugned order dated 20 February 2017 passed by the Deputy Chief Labour Commissioner (Central), Mumbai and remanding the petition of the Petitioner herein (Writ Petition No.8202/2017) under Section 33(2)(b) of the Industrial Disputes Act to

the Deputy Chief Labour Commissioner for a fresh hearing in accordance with law. The Deputy Chief Labour Commissioner shall decide the matter after hearing both parties and in accordance with law as expeditiously as possible and preferably within a period of three months from this order being pointed out to him. The parties shall appear before the the Deputy Chief Labour Commissioner on 6 January 2020 and produce an authenticated copy of this order, whereafter a schedule of hearings may be fixed and the matter may be disposed of in accordance with this order after hearing the parties and their Advocates.

3 In view of the disposal of the writ petition herein, the civil application does not survive and is disposed of.

(S.C. GUPTE, J.)