

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

WRIT PETITION NO.850 OF 2020

Ultratech Cement Limited	...	Petitioner
Versus		
Ratnagiri Zilla Mazdoor Sangh		
And Others	...	Respondents

.....

Mr. Avinash Jalisatgi i/b Mr. Vaibhav Jagdale for the Petitioner.
Mr. M.S. Topkar for Respondent No.1.
Mr. T.R. Yadav for Respondent Nos.2 to 4.
Mr. A.P. Vanarse, AGP for Respondent No.5-State.

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CORAM : S.C. GUPTE, J.

DATE : 11 FEBRUARY 2020

P.C. :

. This writ petition challenges an order passed by the Assistant Commissioner of Labour under sub-section (2) of Section 20 of Minimum Wages Act, 1948 ("Act"). It is apparent from the impugned order that the authority has not considered various submissions of both parties. It is also apparent that the authority has even disregarded the procedure prescribed under the applicable Rules for deciding applications under Section 20(2) of the Act. Accordingly, by consent of the Petitioner and Respondent Nos.1 to 4, the impugned order of the Assistant Commissioner of Labour-cum-authority under the Act, passed on 31 July 2019, is quashed and set aside and the

application of the Respondent under Section 20(2) of the Act is remanded to the Assistant Commissioner of Labour for a fresh hearing in accordance with law. The authority shall see that proper procedure is followed and all submissions of the parties are properly heard and decided. All rights and contentions of the parties on merits are kept open.

2 Needless to add, since the main order itself has been set aside and the matter is remanded, the two other orders challenged in the petition, which seek review of the original order, do not survive and are rendered infructuous.

3 The writ petition is disposed of accordingly.

(S.C. GUPTE, J.)