

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

WRIT PETITION NO. 5932 OF 2019

M/s. Sheroo Enterprises & Ors.

...Petitioners.

vs

The Assistant Commissioner of Labour & Ors.

...Respondents

.....

Mr. Mahesh Shukla i/b Mr. Niraj Prajapati for the Petitioner.

Ms Vaishali Nimbalkar AGP for Respondent Nos.1 & 2-State.

S. S. Pathak for Respondent Nos. 3-8.

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CORAM : S.C. GUPTE, J.

DATED: JANUARY 07, 2020

P.C. :

After the matter is heard at some length, it is agreed between learned Counsel for the parties that the impugned order passed by the Controlling Authority under the Minimum Wages Act may be quashed and set aside, and the recovery application filed by Respondent Nos. 3 to 8 herein may be remanded to the Controlling Authority for a fresh hearing in accordance with law, particularly in the light of the Petitioners' objection to the maintainability of the recovery application on account of the bar of limitation and their case of want of proof concerning overtime and wages. It is ordered accordingly. The Controlling Authority shall decide the application as expeditiously as possible, preferably within a period of three months from the date this order is pointed out to the authority. Both the parties to appear before the Controlling Authority on 13th

January, 2020 at 11.00 a.m. and produce an authenticated copy of this order. All rights and contentions of the parties on merits are kept open.

(S.C. GUPTE, J.)