

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1649 OF 2020

Vishweshwar Co-operative Bank Ltd.

And Another

... Petitioners

Versus

Vivek Waman Shinge

... Respondent

ALONG WITH
WRIT PETITION NO.2190 OF 2020

Vivek Vaman Shinge

... Petitioner

Versus

The General Manager

Vishveshwar Co-operative Bank Ltd.

And Another

... Respondents

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Mr. Dhananjay J. Bhanage for the Petitioner.

Mr. Suhas S. Inamdar for the Respondent and for the Petitioner in Writ Petition No.2190 of 2020.

Mr. Amit Balkrishna Deodhar, Deputy Manager, The Vishweshwar Sah. Bank Ltd., Pune.

Mr. Vivek Vaman Shinge, the Respondent in person.

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CORAM : S.C. GUPTE, J.

DATE : 9 MARCH 2020

P.C. :

. This writ petition (Writ Petition No.1649 of 2020) challenges an order passed by the Labour Court at Solapur on 20 June 2016 in a complaint of unfair labour practice and revisional order passed by the Industrial Court at Solapur in revision from that order. After the

matter is heard at some length, it is agreed between learned Counsel for the parties that the petitions may be disposed of in terms of the following order. It is, accordingly, ordered as follows :

(A) The original order passed by the Labour at Solapur on 20 June 2016 and the revisional order passed by the Industrial Court at Solapur on 28 November 2018, shall be substituted by the following orders :

(i) The Petitioners herein shall pay a sum of Rs.26,00,000/- to the Respondent in full and final settlement of the Respondent's claim for reinstatement with back wages forming the subject matter of the Complaint (ULP) No.42 of 2012 ;

(ii) The termination of the Respondent's services with effect from 31 May 2012 shall be treated as discharge from service and shall not attract any adverse consequence ;

(iii) The amount of Rs.26,00,000/-, provided as above, shall be paid by the Petitioners to the Respondent within a period of two weeks from today ;

(iv) After payment of this amount, neither party shall have any claim or demand against the other ;

(v) Complaint (ULP) No.42 of 2012 is disposed of accordingly ;

(vi) The Respondent shall receive the amount

of provident fund from the Provident Fund Department on the basis of his discharge as of 31 May 2012. The Petitioners shall co-operate with the Respondent to enable him to receive his provident fund dues ;

(vii) The Petitioners shall be entitled to withdraw the amount deposited by them with the Labour Court/Industrial Court at Solapur. The Respondent has no objection to such withdrawal. The Petitioners shall be entitled to withdraw the amount by producing an authenticated copy of this order ;

(viii) This order is passed in the presence of Deputy Manager of the first Petitioner bank and the Respondent who is present in person ;

(B) In view of the order passed as above, the companion petition, namely, Writ Petition No.2190 of 2020 does not survive and is disposed of.

(S.C. GUPTE, J.)

Rajesh V.
Chittewan

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Rajesh V.
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Date: 2020.03.12
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