

Jayant D.
Kandarkar
Digitally
signed by
Jayant D.
Kandarkar
Date:
2020.01.06
11:10:11
+0530

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
LETTERS PATENT APPEAL NO. 247 OF 2010
IN
WRIT PETITION NO. 886 OF 2009
WITH
CIVIL APPLICATION NO. 239 OF 2011**

Innovasynth Technologies (I) Ltd.
(Formerly known as Indian Organic
Chemicals (I) Ltd. & thereafter known
as M/s. Futura Polyoysters (I) Ltd.
Khopoli, Dist. Raigad

.. Appellant
[Ori. Petitioner]

Vs.

Shri. Shyam Ganu Saple & others

.. Respondents

None for the Appellant
None for the Respondents

....

....

**CORAM : PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.**

DATED : JANUARY 03, 2020

ORAL JUDGMENT [PER PRADEEP NANDRAJOG, C.J.]:

1. The workman obtained an Award in his favour which was upheld by the Industrial Court. Result was reinstatement of the workman with back-wages to be paid.
2. Appellant challenged the Award and the decision of the Industrial Court by filing a Writ Petition in this Court. On 25th August 2009, i.e. the date of the impugned order, while issuing Rule in the Writ Petition, learned Single Judge stayed the Award in so far it directed the back-wages to be paid.
3. Appellant filed the appeal pleading that the medical condition of the workman was unfit and thus reinstatement ought to have been stayed.
4. In appeal, the appellant was not granted any stay and as regards back-wages the order was that the appellant would deposit the back-wages. Accrued interest thereon was directed to be receivable by the workman.
5. It is obvious that the orders in appeal have changed the very track.
6. Be that as it may, since none appears for the parties

we dispose of the appeal directing that the back-wages deposited by the appellant would be subject to the final order which may be passed in the Writ Petition.

7. In view of the disposal of the appeal, Civil Application No. 239/2011 is disposed of as infructuous.

SMT. BHARATI DANGRE, J.

CHIEF JUSTICE