

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5019 OF 2020

P K ANNA PATIL JANATA SAHAKARI BANK LTD NANDURBAR
THROUGH AUTHORIZED OFFICER AND ANOTHER
VERSUS
MEGHA VILAS KAMERKAR AND OTHERS

Mr.V.D.Hon, Sr.Counsel i/b Mr.A.V.Hon, Advocate for the petitioners.
Mr.S.S.Patil, Advocate for respondent Nos. 1 to 6, 8 to 14, 16 to 38.

(CORAM : RAVINDRA V. GHUGE , J.)

DATE : MARCH 23, 2022

PER COURT :

1. Though a single petition challenging the judgments in different ULP complaints cannot be entertained and the petitioners have to file an individual petition in each of such cases, the said issue is not being gone into since both the parties pray for the disposal of this petition. However, this shall not be a precedent.

2. In identical matters (Writ Petition No.1301/2018 and connected matters), filed by the present petitioners against identically situated workers, this Court had delivered a judgment on 13/12/2019. The Petitioner/Management had approached the Hon'ble Apex Court in

Spl.Leave to Appeal No.255/2021. By order dated 25/02/2021, the SLP was dismissed.

3. The learned Advocate representing the respondents/workers submits that as these respondents are identically placed, this petition can be disposed off by permitting the respondents to approach the Labour Court u/s 33(c)(2) of the I.D.Act, 1947 or Section 50 of the MRTU and PULP Act, 1971.

4. The learned Senior Advocate submits, in the light of the dismissal of the SLP by the Hon'ble Supreme Court, that the same judgment dated 13/12/2019 may be made applicable to this case.

5. In view of the above, this petition is partly allowed by quashing the judgment of the Industrial Court, Dhule. The respondents are at liberty to avail of the remedy as prescribed u/s 33-C(2) of the I.D.Act, 1947 or u/s 50 of the MRTU and PULP Act, 1971.

6. Considering the long litigation journey, the proceedings that would be initiated by the respondents, would be finally decided within

18 (eighteen) months from the date of their filing. If the Court concludes that these respondents are entitled for the monetary benefits as are quantified, the Liquidator shall make such payments in four equated installments on or before the 10th day of the month after 30 days of the judgment of the Court and the further three installments would be paid in the 7th, 13th and 18th month thereafter.

(RAVINDRA V. GHUGE, J.)