

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

WRIT PETITION NO. 9873 OF 2022

Ranvik Auto Component Pvt. Ltd. ...Petitioner
V/s.
Sanjivkumar Madhukar Landage and Anr. ...Respondents

Mr. Kiran Bapat i/b. M/s. Desai and Desai Associates, for the
Petitioner.

Mr. Jay Prakash Pawar, for the Respondent No.1.

CORAM : C.V. BHADANG, J.

DATE : 17 AUGUST 2022

P.C.

. Not on board. Taken on board.

2. By consent of parties, the petition is taken up for final disposal, in as much as a batch of 17 connected petitions being Writ Petition No.7390/2019 and others have been disposed of by this Court by judgment and order dated 24 February 2020.

3. There were in all 18 awards passed by the Labour Court at Pune directing reinstatement, continuity of service and back wages to the individual workmen therein.

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4. The Petitioner has challenged 17 out of 18 awards in Writ Petition No.7390/2019 and others. On 24 February 2020, after noting the concession on behalf of the Petitioner, the petitions were disposed of by confirming the part of the award relating to reinstatement and continuity of service. However, the issue of back wages was remitted back to the Labour Court at Pune for fresh hearing in accordance with law, in each individual references.

5. The learned counsel for the Petitioner submitted that as the Director of the Petitioner, who was looking after the matter, had expired during the Covid 19 Pandemic, one out of the 18 awards remained to be challenged. It is submitted that the present petition is filed challenging the award dated 9 October 2018 in Reference (IDA) No.374/2010. The learned counsel for the Petitioner, therefore, submitted that similar order as passed in the batch of Writ Petition No.7390/2019 and others may be passed in this petition also.

6. The learned counsel for the Respondent No.1, in all fairness, has expressed no objection for passing similar order. The only submission is that this petition is filed after a period of two years and therefore, it is submitted that appropriate costs may be imposed on the Petitioner.

7. Having heard the learned counsel for the parties, the petition is partly allowed. The impugned award passed by the Labour Court to the extent of granting reinstatement with continuity of service, is hereby maintained. The impugned award to the extent of grant of back wages is hereby set aside.

8. The issue of back wages is remitted to the Labour Court at Pune for fresh hearing in accordance with law after permitting the parties to lead their respective evidence.

9. The Labour Court shall decide the issue of back wages as expeditiously as possible and preferably within a period of six months from the receipt hereof.

10. Parties to appear before the Labour Court at Pune on 5 September 2022 and shall produce the authenticated copy of this order.

In the circumstances, there shall be no order as to costs.

C.V. BHADANG, J.