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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.9500 OF 2021

Shivpratap Mathadi Transport and
General Kamgar Union through
General Secretary .. Petitioner

Versus

Managing Director, Paranjape Auto
Cast Pvt. Ltd. & Ors. .. Respondents

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Mr.Bhavesh Parmar with Mr.Rahul Gaikwad and Mr.Rajesh
Sahani i/b Gravitas Legal for the Petitioner.

Mr.Nitin A. Kulkarni with Mr.Avinash Belge for the
Respondent.

Mr.Sanjay Shinde, Secretary of the Union-Petitioner, present in
the Court.

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CORAM: RAVINDRA V. GHUGE, J.
DATED : 23rd FEBRUARY, 2022

P.C:-

1. This matter was heard extensively on 22/02/2022 and posted today for passing orders. With a further round of submissions, the parties have, without prejudice to their rights in the pending proceedings before the Industrial Court, resolved the issue as follows :

(a) The petitioner-Union would withdraw the strike and the striking workers would report for duties within 48 hours.

(b) The petitioner-Union would tender a good conduct undertaking to this Court and such an undertaking would be filed in this Court during the course of the day through Mr.Sanjay Dattatray Shinde, Secretary of the petitioner-Union.

(c) The petitioner-Union, without prejudice to it's rights in the pending Complaint (ULP) No.38 of 2021, would give an undertaking to the Management that it would abide by the terms and conditions of the settlement, cater to the production levels as are prescribed in the settlement, and they would be entitled for the revised pay-structure.

(d) This arrangement would create no equities in favour of the respondent and would not create any prejudice against the petitioner.

(e) The learned Advocate for the Management submits, on instructions, that the Management is agreeable.

2. In view of the above statements, recorded as statements made to the Court, this petition is disposed off. All the contentions of the litigating parties are left open, to be considered by the Industrial Court.

3. The above stated interim arrangement is only to ensure that there is industrial peace and harmony and neither the factory nor the workers are affected by any disharmony. Finally, the statements recorded would be subject to the result of Complaint (ULP) No.38 of 2021.

4. The parties are at liberty to extend fullest co-operation to the Industrial Court for the expeditious disposal of the complaint.

(RAVINDRA V. GHUGE, J.)