

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 804 OF 2022

Shri Narkesari Prakashan Limited

vs.

Vishnu s/o Shankarrao Popate and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. V. P. Marpakwar, Advocate for petitioner.

CORAM : MANISH PITALE J.

DATE : 06/09/2022

This writ petition is coming up for consideration for the first time. At this stage, Mr. Marpakwar, learned counsel appearing for the petitioner informs this Court that the reliefs prayed in the present petition may not be pressed on behalf of the petitioner in the backdrop of subsequent development.

2. It is brought to the notice of this Court that the respondent Nos.1 to 4 had filed Complaints before the Labour Court challenging termination of their services and their Complaints were allowed. Revision Application was filed before the Industrial Court and the same was pending.

3. In the meanwhile, the said respondent filed Complaints before the Industrial Court claiming regularization of their services which stood partly allowed by the impugned judgment and order dated 02/01/2020.

4. It is brought to the notice of this Court that in the Revision proceeding arising from the order of the Labour Court, the parties entered into a comprehensive settlement on the basis of which the said Revision Application stood disposed of and the settlement would have the effect of modifying the impugned order also.

5. Copy of the settlement terms along with order of the order of the Industrial Court dated 05/10/2021, passed in Revision Application (ULP) No. 115 of 2017, is placed before this Court. The said documents are taken on record and marked 'A' and 'B'.

6. Although the respondent Nos.1 to 4 are not before this Court, the documents brought to my notice do indicate that the matter is settled between the parties.

7. Accordingly, the writ petition is disposed of by modifying the impugned judgment and order, holding that the services of respondent Nos.1 to 4 shall be regularized with effect from 01/04/2020 and for the purposes of payment of gratuity, their entry into service be treated with effect from 09/11/2018. The other terms and conditions of the compromise terms which are taken on record shall also be abided by the rival parties.

JUDGE