

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Civil Application (CAW) No. 193 of 2022
in

Writ Petition No. 721 of 2019

[Nitin S/o. Dashrath Thakur ..vs.. The Assistant Labour Commissioner and the Appropriate Authority
under the Minimum Wages Act, 1948, Nagpur and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. D. C. Chahande, Advocate for the applicants/respondents 2 to 21
Mr. A. J. Salway, Advocate for the petitioner

CORAM : ROHIT B. DEO, J.

DATED : 11-3-2022

This application is preferred by respondents 2 to 21 seeking direction against the petitioner that the amount directed to be paid by the Commissioner under Section 20 of the Minimum Wages Act, 1948 be deposited in this Court along with penalty and the interest.

2. Although the application is preferred on 16-7-2021, there is no reply or rebuttal filed by the petitioner.

3. Learned counsel for the petitioner, Mr. Salway would submit that his client intends to engage a senior counsel. I note that adjournment was sought on similar ground on 4-3-2022 and while granting indulgence, this

Court observed that the adjournment shall be as a last chance and no further adjournment shall be granted.

4. In view of the earlier order, I reject the request for adjournment since even otherwise nothing prevented the petitioner to file reply. All that the contesting respondents are seeking is that the amount as directed be deposited in this Court. This petition is pending since more than three years.

5. In the absence of an interim order of stay or similar order, the petitioner ought to have, even otherwise, complied with the order impugned.

6. I am, therefore, allowing this application with a direction that the entire amount, which the Commissioner has directed the petitioner to pay to the employees, be deposited in this Court within the next fifteen days, failing which, the petition shall be dismissed without further reference to the Court.

JUDGE

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Digitally signed by AVINASH
YUVRAJ WASNIK
Signing Date: 11.03.2022 18:08