

3. Considering the rival contentions and the fact that respondent is already paid provident fund amount and other retieral benefits, except family pension, this Court is of the view that the rival contentions need to be tested on the basis of evidence led by the parties before the Industrial Court. In that view of the matter, writ petition is allowed.

4. Impugned order dated 17.01.2018, passed by learned Member, Industrial Court, Latur in Com/ULP/No. 93/2016, is quashed and set aside.

5. Petitioner shall pay cost of Rs. 25,000/- to the respondent in the Industrial Court, within two weeks from today.

6. Industrial Court shall decide Com/ULP/No. 93/2016 by giving opportunity of hearing to both the parties, within a period of six months from the date of receipt of writ of this order.

7. The amount deposited by the petitioner shall be subject to the final decision of the Industrial Court.

8. In view of disposal of writ petition, civil application stands disposed of.

[NITIN B. SURYAWANSHI, J.]