



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 12756 OF 2023
WITH
WRIT PETITION NO. 9912 OF 2011

Sudesh Bapu Bansode and Ors.

.. Applicants

IN THE MATTER BETWEEN

Menon Metalics Pvt. Ltd.

.. Petitioner

Versus

Investigating Officer, Industrial Court and Anr.

.. Respondents

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- Mr. Yashdeep Deshmukh a/w. Ms. Aditi Athawale and Ms. Vaidehi Pradeep i/by Mr. Vinod Sangvikar, Advocates for Intervenor / Applicant.
 - Mr. M.S. Topkar a/w. Ms. Pavitra Manesh, Advocate for Petitioner.
 - Ms. Priyanka Bhadrashete i/by N.N. Bhadrashete, Advocate for Respondent No.2.

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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 25, 2023.

P.C.:

1. Heard Mr. Deshmukh, learned Advocate for Applicant in Interim Application; Mr. Topkar, learned Advocate for Petitioner and Ms. Bhadrashete, learned Advocate for Respondent No.2.

2. Mr. Topkar would submit that 65 out of 69 workman who are employees of Petitioner have signed the settlement arrived at with the recognized Union. Four remaining workers have filed present

Interim Application No.12756 of 2023 in the Writ Petition seeking impleadment as party in the Writ Petition.

3. Perused the Interim Application No.12756 of 2023.
4. Affidavit-in-Reply filed by Petitioner to the Interim Application is taken on record.
5. For the reasons mentioned in the Interim Application, Interim Application stands allowed to the extent of impleadment of Applicant Nos.2 to 5 though 20 out of the original 6 Respondents have already settled their dispute with the Company. Amendment to be carried out by the Petitioner within a period two weeks from today. Re-verification stands dispensed with.
6. With the above directions, Interim Application is disposed.

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7. Considering the facts of the case, it is impressed upon the learned Advocate appearing for the newly added Respondents / workmen that without prejudice to the rights and contentions they should accept the offer which was negotiated by the recognized Union in the settlement arrived at between the Company and the recognized Union and equally Mr. Topkar is also informed by the Court to take appropriate instructions from the Management to amicably resolve the present issue.

8. Stand over to **09th October, 2023.**

9. After hearing the learned Advocates, it is clarified that, in the meanwhile proceedings before the learned Industrial Court may proceed, but it will be subject to the outcome of the present Writ Petition.

[MILIND N. JADHAV, J.]

Ajay