

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 5101 OF 2021

Manugraph Employees Association
through Vice-President, General Secretary .. Petitioner
v/s.

State of Maharashtra, Industries, Energy
and Labour Department (Through the
G.P.) and Ors. .. Respondents

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Mr. Sandesh Shukla a/w. Ms. Shivani Deshmukh i/by. Abhay Nevagi
& Associates, Advocate for the Petitioner.

Smt. R.A. Salunkhe, AGP for State.

Mr. Sandeep Mahadik i/by. Mr. Sandeep Mutalik, Advocate for
Respondent no.3.

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**CORAM : DHIRAJ SINGH THAKUR &
SANDEEP V. MARNE, J.**

DATED : 13 JULY, 2023.

P.C. :

1. The Petitioner claims to be a recognised Union of the employees of Respondent no.3-Manugraph India Ltd. The grievance of the petitioners is that, they have not been paid bonus under the Payment of Bonus Act, 1965 for the year 2019 on the pretext that a Representation dated 10 October, 2019 was filed by Respondent no.3 which is pending with the Respondent no.2 in which they had sought extension of time limit which is otherwise prescribed in terms of Section 10. Another Representation is stated to have been filed by

Respondent no.3-the employer, dated 20 June, 2020 in which the Respondent no.3 has sought exemption from payment of bonus to the members of the Petitioner-Union for the years 2019-20, 2020-21 and 2021-22. It is stated that only on account of the fact that the applications/representations of Respondent no.3 are filed and remain undecided, the members of the Petitioner-Union have been deprived of their right to claim bonus under the said Act. It is in that background urged, that if a direction is issued to Respondent no.2 who represents the State Government in terms of the scheme of the Payment of Bonus Act, to take an appropriate decision at the earliest on the Representations/applications for extension filed by the Respondent no.3, the Petitioner would know their fate with regard to their entitlement to receive the bonus for the aforementioned years. To our mind, the prayer made is quite innocuous.

2. We **dispose** of the petition with direction to Respondent no.2 to decide the applications dated 10 October 2019 and 20 June 2020 filed by Respondent no.3 within a period of four weeks positively. Apart from this, the Respondent no.4 shall also decide the Representations filed by the Petitioner on 19 May 2020, 12 October 2020 and 29 October, 2020 within a period of 4 weeks. The decisions be communicated to the Petitioner.

(SANDEEP V. MARNE, J.)

(DHIRAJ SINGH THAKUR, J.)

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SAWANT
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Neeta Sawant