



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

256 WRIT PETITION NO. 5721 OF 2005

THE STATE OF MAHARASHTRA
VERSUS
MARUTI CHINDHU BAMBERE

...

AGP for the Petitioner : Mr. V. M. Chate
Advocate for Respondent: Mr. N. R. Thorat

...

WITH
CIVIL APPLICATION NO. 5824 OF 2015
IN
WP/5721/2005

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 08th FEBRUARY, 2024

PER COURT:

1. Heard.
2. Mr. N. R. Thorat, learned counsel for the respondent has pointed out the order passed by this court in Writ Petition No.5717 of 2005 with connected petitions, dated 13.08.2015, challenging common impugned order dated 12.04.2005, passed by the Labour Court, wherein ID References are dismissed by this court by the above order and the same order was carried up till the Hon'ble Supreme Court and the SLP was also dismissed. In view of the orders passed above, the same is applicable to the instant case also.

3. In view of the order passed in the above writ petition, **the present writ petition is also dismissed.** The above order would be applicable to the instant case.

4. In the above order, this court at para 27 and 28, has held as under:-

“27. Since, I have quashed and set aside the impugned awards, the issue of quantification of compensation would, in fact, lose its significance. Nevertheless, it cannot be overlooked that 12 out of the 16 respondents have received Rs.2,31,840/- till March 2015 and four of them, who have superannuated have received Rs.1,34,400/- till their superannuation age vide order dated 10.7.2009 passed by this Court.

28. In the light of the above, I am inclined to grant nominal compensation to the respondents only to the extent of Rs.5,000/- per respondent. Besides the same, their monthly wages at the rate of Rs.3,360/- shall be payable to them till the passing of this judgment today. It is stated by the petitioners that they are paid till March 2015. Hence, the compensation of Rs.5,000/- as well as the monthly wages shall be paid to the 12 respondents till this date. In so far as the 4 respondents are concerned, they shall be paid only Rs.5,000/- as directed above. These payments shall be made within a period of 12 weeks from today.”

5. The learned AGP appearing for the Petitioner submits that the respondent has completed age of 60 years, on 11.11.2014, and that he has been paid monthly wages till his age of 60 years. He would be entitled in terms of para 28 of the above Judgment for compensation of Rs.5,000/-.

The same shall be paid to him within a period of twelve (12) weeks from today.

6. The writ petition stands disposed of accordingly. All pending civil applications stand disposed of.

[ARUN R. PEDNEKER, J.]

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