



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

9 WRIT PETITION NO. 4406 OF 2024

MS NRB BEARING LIMITED THROUGH ITS AUTHORISED
SIGNATORY

VERSUS

NEW PANTHER KAMGAR SENA AND ANOTHER

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Advocate for the Petitioner : Mr. Sachin V. Dankh a/w. Ms. Shrutika
S. Deshpande a/w. Mr. Rahul Pitekar

Advocate for Respondent No.1 :

Mr. T. K. Prabhakaran h/f. Mr. A. S. Kulkarni

Advocate for Respondent No.2: Mr. Ajit Gaikwad - Patil

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CORAM : ARUN R. PEDNEKER, J.

DATE : 29th APRIL, 2024

PER COURT:

1. Heard.
2. The learned counsel for the parties have produced the 'minutes of order'. However, there is slight disagreement on certain aspects. There is agreement on clauses no.1 and 2 of the 'minutes of order'.
3. The clauses no.1 and 2 of the 'minutes of order' is made the order of the court, which reads as under:-

"1. Respondent-1-Union agrees that Settlement under challenge shall be treated as an Interim Award in the pending Reference before the Industrial Tribunal, Jalna,

keeping open all the grounds of challenge and defence canvassed by the parties.

2. The Petitioner-Employer shall ensure that while implementing the settlement in favour of the Workmen who are members of Respondent-1/Union, there shall not be any discrimination amongst the workmen and between the members of the Respondent-Unions. Any concession given to the workmen related to members of Respondent-2-Union shall be extended to the members of Respondent – 1 – Union, at par.”

4. As regards the arrears, as of now no order can be passed, in view of the pending litigation between the parties. However, it is clarified that the Management, if, it has granted any concession in terms of the productivity norms qua the other members of the respondent no.2 – Union, the same would be also applicable to the present respondent no.1.

5. The pending Reference shall be decided as expeditiously as possible. The Industrial Tribunal to decide the Reference on it's own merits and not to be influenced by this order passed of the court. The impugned order stands modified accordingly. All contentions are kept open.

6. The writ petition stands disposed of accordingly.

[ARUN R. PEDNEKER, J.]