



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

927 WRIT PETITION NO. 10070 OF 2024

**CHAIRMAN PRIYADARSHINI SAHAKARI SOOT GIRNI
LTD & ANOTHER
VERSUS
SUNIL DHANRAJ PATIL**

...
Advocate for the petitioner : Mr.S.P.Shah

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**CORAM : ARUN R. PEDNEKER, J.
DATE : 13.09.2024**

P.C. :

1] Heard the learned counsel for the petitioners. The learned counsel for the petitioners submits that on 16.10.2018, the respondent filed PWA Application No.3/2018 under Section 15 [2] of the Payment of Wages Act, 1936 for payment of back-wages and the Labour Court, by order dated 06.10.2022, partly allowed the said application thereby directed the petitioners to pay an amount of Rs.45,792/- to the respondent. Thereafter, the petitioners filed Regular Civil Appeal No.128/2022, challenging the judgment and order dated 06.10.2022 and the said appeal was dismissed by the District Judge by order

dated 09.05.2024. Against the said order, the present writ petition is filed. The learned counsel for the petitioners submits that the various legal aspects including the limitation aspect is not yet considered by both the Courts below. The learned counsel submits that this matter may be treated as precedent in other similar cases, which are expected to be filed against the petitioners.

2] Looking to the facts of the matter that the amount of Rs. 45,792/- is directed to be paid towards the back-wages of the respondent and the same is determined by the Courts below. It is difficult for me to call upon the respondent to defend the impugned order after he has succeed before two Courts.

3] The order passed in the matter should not be treated as precedent in the event other employees file application under Section 15 (2) of the Payment of Wages Act. Leaving all contentions of the petitioners open if such applications are filed by other employees, the writ petition is disposed off.

4] In view of above, the present writ petition is disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC