



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

941 WRIT PETITION NO. 1292 OF 2021

THE CHIEF EXECUTIVE OFFICER OSMANABAD JANTA SAHAKARI
BANK LTD TULJAPUR

VERSUS

VYANKATESH PANDURANG GOVARDHAN

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Advocate for the Petitioner : Mr. A. N. Irpatgire

Advocate for Respondent : Mr. A. V. Patil Indrale

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WITH

WRIT PETITION NO. 7521 OF 2019

WITH

CIVIL APPLICATION NO. 6543 OF 2024
IN WP/1292/2021

WITH

WRIT PETITION NO. 1301 OF 2021

WITH

WRIT PETITION NO. 1319 OF 2021

WITH

WRIT PETITION NO. 1296 OF 2021

WITH

WRIT PETITION NO. 1293 OF 2021

WITH

WRIT PETITION NO. 1304 OF 2021

WITH

WRIT PETITION NO. 1312 OF 2021

WITH
WRIT PETITION NO. 1315 OF 2021

WITH
WRIT PETITION NO. 1306 OF 2021

WITH
WRIT PETITION NO. 1295 OF 2021

WITH
WRIT PETITION NO. 1305 OF 2021

WITH
WRIT PETITION NO. 1328 OF 2021

WITH
WRIT PETITION NO. 1313 OF 2021

WITH
WRIT PETITION NO. 1310 OF 2021

WITH
WRIT PETITION NO. 1325 OF 2021

WITH
WRIT PETITION NO. 1324 OF 2021

WITH
WRIT PETITION NO. 1314 OF 2021

WITH
WRIT PETITION NO. 1297 OF 2021

WITH
WRIT PETITION NO. 1320 OF 2021

WITH
WRIT PETITION NO. 1327 OF 2021

WITH
WRIT PETITION NO. 1323 OF 2021

WITH
WRIT PETITION NO. 1294 OF 2021

WITH
WRIT PETITION NO. 1322 OF 2021

WITH
WRIT PETITION NO. 1316 OF 2021

WITH
WRIT PETITION NO. 1307 OF 2021

WITH
WRIT PETITION NO. 1298 OF 2021

WITH
WRIT PETITION NO. 1318 OF 2021

WITH
WRIT PETITION NO. 1302 OF 2021

WITH
WRIT PETITION NO. 1299 OF 2021

WITH
WRIT PETITION NO. 1300 OF 2021

WITH
WRIT PETITION NO. 1317 OF 2021

WITH
WRIT PETITION NO. 1309 OF 2021

WITH

WRIT PETITION NO. 1326 OF 2021

WITH
WRIT PETITION NO. 1311 OF 2021

WITH
WRIT PETITION NO. 1329 OF 2021

WITH
WRIT PETITION NO. 1303 OF 2021

WITH
WRIT PETITION NO. 1308 OF 2021

WITH
WRIT PETITION NO. 1321 OF 2021

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CORAM : ARUN R. PEDNEKER, J.

DATE : 06th AUGUST, 2024

PER COURT:

1. Learned counsel appearing for the Bank submits that there was no deduction of 10% made from any of the employees so also the Bank did not make profits as such corpus from the profits of the Bank for dispersal is not available. In the instant case, there is no deduction made and that the Bank did not make profit from which the corpus could be generated. Assuming that the scheme was in operation, there is no funds generated which can be disbursed.

2. Per contra, learned counsel appearing for the employees submits that there was separate fund generated for this particular scheme and that the deletion of the employees contribution of the employees was only for the reason that substantial profits were generated by the Bank.

3. Learned counsel appearing for the employees submits that the deletion as regards the scheme if at all is read into the settlement, the same cannot be done without following the process as is available under the Bombay Industrial Relations Act.

4. With reference to the submissions made by the employees, learned counsel appearing for the petitioner / Bank submits that the change is brought by settlement with the Bank by the employees and various other benefits were granted under the settlement which the employees have accepted. The employees having accepted the benefits which are brought about by way of settlement cannot resile from the settlement having accepted the same.

Therefore according to learned counsel for the Bank, the defence is devoid of merits.

5. List this matter for further consideration, on 30.08.2024, at 03:30 p.m.

6. Parties are directed to give brief synoptical notes of arguments along with Judgments relied.

[ARUN R. PEDNEKER, J.]

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