

AGK

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

**WRIT PETITION NO.4442 OF 2018
WITH
WRIT PETITION NO.4723 OF 2018**

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Union of India, through the Secretary
Labour Board, Govt. of India & Ors. ... Petitioners

V/s.

Mumbai Shramik Sangh & Ors. ... Respondents

Mr. P.M. Palshikar with Ms. Leena Patil for the
petitioners.

Mr. Bhavesh Parmar with Ms. Reshma Nair, Mr. Rajesh
Sahani & Mr. Vivekanand Akshali i/by Mr. Devmani J.
Shukla for respondent No.1.

CORAM : AMIT BORKAR, J.

DATED : MARCH 28, 2024

P.C.:

1. By consent of parties, following order is passed:

- i) The impugned judgment and order/s passed by the Presiding Officer, Central Government Industrial Tribunal No.2, Mumbai in Reference No.CGIT-2/63 of 2009 dated 1 March 2017 & Reference No.CGIT-2/62 of 2009 dated 6 March 2017 are quashed and set aside;
- ii) The proceedings are remanded back to the Presiding Officer, CGIT No.2, Mumbai for disposal afresh;

- iii) Considering the date of reference, the Presiding Officer shall decide the complaint afresh within six months from the date of taking charge of the Office of the Presiding Officer, CGIT No.2;
 - iv) All contentions of both parties are kept open to be agitated before the CGIT No.2, Mumbai;
 - v) Interim relief, if any, in existence during pendency of the complaint shall remain in force till the disposal of reference.
2. Both the writ petitions stand disposed of in above terms. No costs.

(AMIT BORKAR, J.)