

VRJ

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

**INTERIM APPLICATION NO.14727 OF 2023
IN
WRIT PETITION NO.13184 of 2022**

VAIBHAV
RAMESH
JADHAV
Digitally signed by
VAIBHAV RAMESH
JADHAV
Date: 2024.02.08
17:23:32 +0530

Sanjay Digambar Patil	... Applicant
<i>In the matter between</i>	
Epiroc Mining India Ltd	... Petitioner
V/s.	
Sanjay Digambar Patil	... Respondent

Mr. G. S. Telangare for the applicant.

Mr. Kiran Bapat, Senior Advocate with Mr. Gaurav
Gawande for the respondent.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 8, 2024

P.C.:

1. The respondent has filed present interim application seeking a direction against original petitioner to pay last drawn wages of Rs.45,000/- per month during pendency of the writ petition in furtherance of provisions of section 17B of the Industrial Disputes Act, 1947.

2. The employer has filed affidavit. In paragraph 3(i) of the affidavit the company has stated that the company is ready to offer alternative employment to the applicant (employee) in their establishment at Nagpur. The statement made in paragraph 3(i) of

the affidavit of alternative appointment during pendency of the writ petition on payment of last drawn salary is accepted. Such offer for alternative employment shall be without prejudice to petitioner's rights.

3. In view of the said statement, nothing remains in the interim application, the same stands disposed of. No costs.

4. Accordingly the applicant shall report to the establishment at Nagpur on 15th February 2024 in general shift.

(AMIT BORKAR, J.)