

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 7418 OF 2023**

Narayan Ulhalkar } ..Petitioner

: Versus :

M/s. Rohan Paper Mills Ltd.
and anr. } ..Respondents

Mr. Kaushal Udeshi i/by. Vis Legis Law Practice for the Petitioner.

CORAM : SANDEEP V. MARNE, J.

Dated : 25 April 2024.

P.C. :

1) By this petition, Petitioner challenges Judgement and Order dated 13 October 2021 passed by the Labour Court, Satara in IDA No.36/2013. The grievance of the Petitioner is with regard to recovery of amount of Rs.4,11,400/- alongwith interest from the Respondents under the provisions of Section 33C(2) of the Industrial Disputes Act, 1947. The said demand appears to be in respect of Petitioner's alleged service with M/s. Nira Pulp and Paper Mills Ltd. during the period from 1985 to 1991. It appears that said M/s. Nira Pulp and Paper Mills Ltd. has been wound up and M/s. Rohan Paper

Mills Ltd. has purchased the land, plant & machinery of M/s. Nira Pulp & Paper Mills Ltd. by sale-deed dated 9 August 2012.

2) Petitioner should have raised his grievance against M/s. Nira Pulp & Paper Mills Ltd. immediately after discontinuation of his services in the year 1991 consequent to closure of M/s. Nira Pulp factory. He thought of raising a claim against the purchaser only after execution of sale-deed in purchaser's favour in the year 2012. Respondents are merely purchasers in respect of the property of M/s. Nira Pulp Factory. It is highly doubtful whether they would have any liability to pay pending wages to the employees of M/s. Nira Pulp & Paper Mills Ltd. The application filed by the Applicant before the Labour Court was hopelessly barred by limitation. I therefore do not see any patent error in the order passed by the Labour Court. The Writ Petition being devoid of merits is **dismissed** without any order as to costs.

[SANDEEP V. MARNE, J.]

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