

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12386 OF 2019

Shri Dutt India Private Limited and anr. ...Petitioners

Versus

The Government of India through Ministry of Labour and Employment and ors ...Respondents

WITH

WRIT PETITION NO. 141 OF 2024

Rajendra Kashinath Bhosale and ors ...Petitioners

Versus

Union of India thr. The Ministry of Labour and Employment and ors ...Respondents

Mr. Shekhar Jagtap a/w Ms. Sairuchita R. Chowdhary for the Petitioners in WP/12386/2019 and for Respondent No.6 in WP/141/2024.

Mr. Satyajeet Rajeshirke for the Petitioner in WP/141/2024.

Mr. Mihir Rathod i/b. Mr. Jog Singh for Respondent Nos. 2 and 3 in WP/12386/2019 and for Respondent No.3 in WP/141/2024.

Mr. Mohamedali M. Chunawala for Respondent No.1. I.e, Union of India.

CORAM: NITIN JAMDAR &
M.M. SATHAYE, JJ.

DATE : 28 AUGUST 2024

P.C.:

1. Series of orders are passed in Writ Petition No.12386 of 2019

wherein we had expressed the disapproval at the conduct of the Respondent – Provident Fund Authorities that it is not in furtherance of the interest of the workmen of the Petitioner - company. It is now a Writ Petition is filed on behalf of the workmen which is placed alongwith Writ Petition No.12386 of 2019. Learned counsel for the Provident Fund Authorities seeks time to file reply in Writ Petition filed by the workmen.

2. Learned counsel for the Petitioners – workmen states that the Provident Fund Authorities have not presented the facts properly before the NCLT as regard the quantum of dues of the workmen towards the provident fund. The learned counsel for the Petitioners – workmen states that the amount of Rs.7,40,00,000/- is now with the Provident Fund Authorities and there is no impediment to disburse the same alongwith interest to the Petitioners – workmen.

3. Respondents – Provident Fund Authorities will place before us the reason as to why the direction be not issued to the Provident Fund Authorities to disburse this amount which is stated to be lying with the Provident Fund Authorities to all workmen concerned (after due verification). If no satisfactory reason is placed before us, the Court will proceed to pass the appropriate directions.

4. The argument that the amount of the workers due to be paid to them is more than Rs.7,40,00,000/- would be considered subsequently.

5. Stand over to 4 September 2024 under the caption “For Directions”.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)