

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

WRIT PETITION NO.10258 OF 2024

Lumax Industries Ltd.

...Petitioner

Versus

District Women And Child Development

Officer Pune And Anr.

...Respondents

...

Mr.Varun Joshi a/w Mr.Chetan Alai, Mr.Bhushan Bhadgale and
Mr.Ashutosh Karangutkar i/b. Chetan A. Alai for the Petitioner.

Ms.Dhruti Kapadia, AGP for Respondent No.1-State.

Mr.Prakash Tangde, Legal Advisor, District Women and Child
Development Office, Pune.

....

CORAM : RAVINDRA V. GHUGE

&

ASHWIN D. BHOBE, JJ.

DATE : 18TH NOVEMBER, 2024

P.C.:

1. On 14th November, 2024, we had passed the following order :

“1. The learned Advocate for the Petitioner moved a motion in grave urgency at 10.30 am, requesting for taking this matter on the production board. Hence, taken on the production board.

2. We have perused the order dated 29th July, 2024 passed by this Court. A specific issue was

considered by this Court and notice was issued. Liberty was granted to circulate this matter if coercive action is apprehended.

3. *Respondent No. 2 is the former employee of the Petitioner. She was terminated from service 26th March, 2024. She approached the District Women and Child Development Officer, Pune Office with a complaint. By order dated 4th April, 2024, without deciding whether the said authority has any jurisdiction, the termination order was quashed and set aside and the Petitioner was directed to reinstate Respondent No. 2, immediately.*

4. *The learned Advocate for the Petitioner submits that the grave urgency in circulating this matter was that Respondent No. 2 employee is now issuing letters and indulging in whatsapp correspondence and praying for immediate reinstatement in service.*

5. *The learned AGP submits that he would take instructions as to whether Respondent No. 1 has any authority prescribed in law to quash the termination order of Respondent No. 2 and direct reinstatement. Since the matter is taken on the production board, apparently, Respondent No.2 is unaware of this proceeding taken on today's production board.*

6. *In view of the above and considering the statement of the learned AGP, list this Petition in the **fresh admissions hearing categories** on 18th November, 2024.*

2. A report of the Registry dated 14th November, 2024 indicates that affidavit of service has been filed by the Petitioner on 22nd August, 2024 and Respondent Nos. 1 and 2 have been served.

3. The service affidavit dated 16th November, 2024 is taken on record along with its annexures (four pages) and marked collectively, as '**X-1**'.

4. The learned AGP is instructed to state that Respondent No.1 does not have the authority to deal with the legality of the order passed by a private employer, the Petitioner herein, thereby terminating the service of an employee, as like Respondent No.2.

5. In view of the above, **issue notice to Respondent No.2**, returnable on 16th December, 2024. Besides service of the Court notice, the Petitioner would serve Respondent No.2 by Speed Post A.D. along with a copy of this order and submit a service affidavit along with a print out of the tracking report of the India Post website.

6. List this Petition on 16th December, 2024, in the fresh admissions category.

7. Until further orders, the impugned order issued by Respondent No.1, shall stand stayed.

(ASHWIN D. BHOBE,J.)

(RAVINDRA V. GHUGE, J.)