

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10258 OF 2024

Lumax Industries Ltd. Through

Its Authorized Signatory

.....Petitioner

Vs.

District Women and Child

Development Officer and Anr.

.....Respondent

Mr. Varun Joshi a/w Mr. Chetan A. Alai a/w Bhushan Bhadgale for
the Petitioner.

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

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 17th DECEMBER, 2024

P.C. :-

1. On 18th November, 2024 we have passed the following
order:

“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.”

2. The learned AGP places on record the photostat copy of the communication dated 16th December, 2024 received by her from Smt. Manisha Biraris, District Woman and Child Development Officer Pune, by which, it is conveyed to the Court that the said Officer is withdrawing the order dated 4th April, 2024.

3. The copy of the said communication is taken on record and marked as **“X”** for identification. Needless to state, the impugned letter dated 4th April, 2024 stands withdrawn.

4. In view of the above, the purpose for which the petition was filed, has been achieved and **the Writ Petition is disposed off.**

MENTIONING AT 2.30 PM

5. At. 2.30. p.m. a person claiming to be the victim “Respondent No.2”, herein, started addressing the Court. We called

upon the Court Sheristedar to call for the learned Advocate Mr. Varun Joshi and the learned AGP Ms. Kapadia. In five minutes, they appeared before the Court. The lady prayed that her name be camouflaged from the title clause and it be mentioned as Ms.X. The learned Advocate for the Petitioner readily agreed to carry out the amendment for scoring out the name of the said person to indicate Respondent No.2 as Ms. X. We are issuing similar directions to the Registry of this Court to camouflage the name of Respondent No.2 and ensure that her name does not become visible in any record or the website of the Court.

6. Ms. X stated that there are some cases initiated by her against the Petitioner Management. We have informed her that this petition has nothing to do with those cases and this petition is already disposed off since the Government has withdrawn the impugned order.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)