

## WRIT PETITION NO. 11026 OF 2024

Venco Research Breeding Farm Pvt Ltd ...Petitioner  
Versus  
Rashtriya Shramik Aghadi And Ors ...Respondents

Mr. Varun Rajiv Joshi a/w Mr. Chetan Arvind Alai for Petitioner.  
Mr. A. R. Deolekar, AGP for Respondent Nos.2 & 3-State

**CORAM : RAVINDRA V. GHUGE &  
ASHWIN D. BHOBE, JJ.  
DATE : 16<sup>th</sup> DECEMBER, 2024**

**P.C. :-**

1. By an order of reference dated 13<sup>th</sup> September, 2005 under Section 2A of the Industrial Disputes Act, 1947 which pertains to a deemed Industrial dispute in relation to the disengagement / termination / discharge / dismissal or removal of employees, a reference was made to the Labour Court, Satara. The said Reference (IDA) No.94 of 2005 led to an Award dated 22<sup>nd</sup> February, 2014. The Labour Court answered the Reference in the affirmative only to the extent of 12 out of 44 employees and concluded that 32 employees mentioned in the schedule were not entitled for any reliefs. The Management had challenged the said Award before the Learned Single Judge of this Court in Writ

Petition No.1418 of 2015, which is pending. A counter petition to the extent of the 32 workers has not been filed, is the statement.

2. The Respondent No.1 Union approached the Assistant Commissioner Labour, Satara, vide their application dated 8<sup>th</sup> May 2023 and requested for forwarding a supplementary demand by way of a Reference to the Labour Court for adjudicating the same issue of their disengagement in September, 2004. The Assistant Commissioner Labour has passed an order on 4<sup>th</sup> June, 2024 referring the dispute to the Labour Court, completely ignoring the Award of the Labour Court dated 22<sup>nd</sup> February, 2024 which finds a reference in the impugned order. There cannot be two adjudications over the same dispute when the earlier adjudication process has attained finality to the extent of the Award being delivered by the Labour Court.

3. **Issue notice to the Respondents**, returnable on 3<sup>rd</sup> February, 2025. The learned AGP waives service of notice on behalf of the Respondent Nos.2 and 3.

4. Let the affidavits in reply be filed, at least, ten days

prior to the returnable date.

5.           Until further orders, the impugned order dated 4<sup>th</sup> June, 2024 and Reference (IDA) No.16 of 2024, before the Labour Court, shall stand stayed.

**(ASHWIN D. BHOBE, J.)**

**(RAVINDRA V. GHUGE, J.)**