

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

WRIT PETITION NO. 11372 OF 2024

Shri. Santosh Dattaram Parshram }**Petitioner**

: Versus :

M/s. Invotec Pvt. Ltd. & Ors. }....**Respondents**

Mr. Rupesh Bobade, for the Petitioner.

CORAM : SANDEEP V. MARNE, J.

Dated : 10 October 2024.

P.C. :

1) The petition challenges the order dated 19 December 2023 passed by the Presiding Officer, 10th Labour Court, Mumbai rejecting Application (IDA) No.316/2022 on the ground that the Petitioner did not provide necessary details in support of amounts claimed in the application filed under Section 33C(2) of the Industrial Disputes Act, 1947.

2) Perusal of the Appellation (IDA) No. 316/2022 filed by the Petitioner would indicate vague particulars in Annexure thereto which reads thus :

The Applicant has been working with the Opponents above Name 11 Years as a “Superwiser” and his monthly salary of Rs.32,980/- per month and his service has been orally termination on -09/02/2022

1) Prior to oral Termination of his service he was not given Notice pay salary. The Applicant is therefore entitled to receive One month notice pay of Rs.32,980/- From the Opponents.

2) The Applicant was not given 4 Years earned wages from Month of Jan 2017 to 2018, 2019 to 2020, 2020 to 2021 & 2021 to 2022 salary balance. The Applicant therefor, entitled to received earned wages of Rs.4,71,662/- from the Opponent, above the said period.

1. The Applicant was not given 3 Years Bonus @ 8.33% during the entire period of his service with the Opponents. The Applicant is therefore entitled to receive 3 years Bonus of Rs.34,380/- From the opponent above named.

2. The Applicant were not given standing salary period from 2010 to 201. The Applicant therefore entitled to receive standing salary which amount to Rs.2,12,278/- from the opponent above name.

Prior to oral termination of his service he was given with 11 Years Retrenchment Compensation. The Applicant therefore, entitled to receive Retrenchment Compensation of Rs.2,08,725/-- From the opponent, for above said period.

The Applicant states that the computation of benefits he is entitled to receive is mentioned in the statement Annexed hereto Exhibit "A".

The Applicant therefore, prays that this Hon'ble Court be pleased to direct the Opponents to pay the same to the Applicant with interest.

3) Except vaguely claiming wages of Rs.4,71,662/- from January 2017 till 2022, no particulars of the said figure of Rs.4,71,662/- is given by the Petitioner. Similar is the case in respect of the standing claim of Rs.2,12,278/- in respect of the period from 2010 to

2017. In absence of any material particulars being placed before the Labour Court, the application has rightly been rejected. I therefore do not find any valid reason to interfere in the order dated 19 December 2023 passed by the Labour Court. The Writ Petition is accordingly **rejected.**

[SANDEEP V. MARNE, J.]

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