

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

WRIT PETITION NO.17643 OF 2024

Revent Precision Engineering Ltd.

....Petitioner

V/S

State of Maharashtra & Anr.

....Respondents

**WITH
WRIT PETITION NO.18077 OF 2024**

Revent Precision Engineering Ltd.

....Petitioner

V/S

State of Maharashtra & Anr.

....Respondents

Mr. Akshay Doctor a/w Mr. Parag Sawant a/w Mr. Puneet Bindra with Mr. Rishab Gupta and Mr. Karan Jagtap i/b Mr. P.S. Chambers *for the Petitioners.*

Ms. V.R. Rjae, AGP *for Respondent/State in WP No.17643 of 2024.*

Ms. V.S. Nimbalkar, AGP *for Respondent/State in WP 18077 of 2024.*

CORAM: SANDEEP V. MARNE, J.

DATE : 13 DECEMBER 2024.

P.C.:

1. The issue involved in the Petitions is about maintainability of complaints of unfair labour practice before the Labour Court filed by employees of erstwhile Management of Petitioner-Company prior to/during pendency of the Corporate Insolvency Resolution Proceedings (CIRP) under the Insolvency and Bankruptcy Code, 2016. The Resolution Plan is now approved and the new management has taken over the affairs of the

Company. It is the contention of the Petitioner that any Complaint of Unfair Labour Practice initiated prior to initiation of or during pendency of CIRP would automatically come to an end on acceptance of resolution plan by applying the clean slate doctrine enunciated by the Apex Court in ***Ghanashyam Mishra & Sons Pvt. Ltd. vs. Edelweiss Asset Reconstruction Company Limited***, (2021) 9 SCC 657.

2. After hearing Mr. Doctor, the learned counsel appearing for the Petitioner for some time and after this Court expressed disinclination to accept the proposition sought to be advanced by the Petitioner about automatic closure all proceedings including complaints of unfair labour practices merely on approval of Resolution Plan, Mr. Doctor seeks time to advance further submissions in the Petitions. He would submit that he has so far not been able to lay his hands on any direct judgment either in favour of or against the proposition that is sought to be advanced by the Petitioner.

3. Issue notice to Respondent No.2, returnable on **23 January 2025**.

4. Since the issue of maintainability of complaints of unfair labour practice before the Labour Court after approval of Resolution Plan is in issue in the present Petitions, the Labour

Court is requested to adjourn the proceedings in Complaints till the next date of hearing.

(SANDEEP V. MARNE, J.)