

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION (STAMP) NO.24998 OF 2023**

VVF Ltd. Employees Union

.... Petitioner

Versus

VVF India Ltd.

.... Respondent

....

Mr. Sanjay Singhvi, Sr. Advocate i/b. Mr. Rahil Fazalbhoy for Petitioner.**Mr. Sudhir Talsania**, Sr. Advocate i/b. Mr. P. C. Ravaskar, for the Respondent.

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CORAM : SANDEEP V. MARNE, J.**DATED : 09 JANUARY 2024.****P.C. :**

The challenge in the present petition is to Order dated 04 November 2022 on Application filed by the Petitioner-Union for grant of interim relief / interim Award under Section 10 (4) of the Industrial Disputes Act, 1947 for directions to the management to pay Rs.10,000/- per month to each workman with effect from 01 April 2011 as interim relief. The Industrial Court has not granted any interim relief in favour of the Petitioner-Union but has expedited hearing of the Reference.

2. Mr. Singhvi, the learned Sr. Advocate appearing for Petitioner-Union would submit that there is stark difference between the wages drawn by the workers of the Petitioner's union of Sion and Shivdi units as compared to those employed in Taloja Unit. He would submit that amount of difference

between the two sets of workmen was Rs. 12,000/- as on 01 April 2011, the difference is now increased and comprises of Rs. 25,000/-. Mr. Sangwi would therefore submit that prayer of the Petitioner-Union for grant of interim relief is justified.

3. Mr. Talsania, the learned counsel appearing for Respondent-Company would submit that the Reference is pending since the year 2016 and that the Petitioner-Union are without any interim relief for over 06 long years as the same is not granted by Order dated 04 November 2022. He would submit that Reference is now taken up for recording of evidence and therefore instead of this Court determining correctness of Order dated 04 November 2022, at this point of time it would be appropriate that Reference itself can be taken up for hearing in expeditious manner.

4. Considering the fact that the Industrial Court has already expedited hearing of the Reference and considering the fact that substantial period has lapsed from passing of the Award dated 04 November 2022, it is appropriate that the Reference itself is taken up for expeditious hearing rather than determining correctness of the Order dated 04 November 2022. Accordingly, Petition is disposed of with request to the Industrial Court, Mumbai to expedite hearing of the Reference (I.T.) No. 21 of 2016 and to make an endeavor to decide the same finally within a period of 06 months from today. All contentions of the parties on merits are kept open. Industrial Court shall not be influenced by the Order dated 04 November 2022 while deciding the Reference finally.

SANDEEP V. MARNE, J.