



2515-2024

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION NO. 2515 OF 2024
IN WRIT PETITION NO. 5223 OF 2023

(Maharashtra Ex-Servicemen Corporation Ltd., through its Director Vs. Shri Shankar s/o
Pyarelal Meshram & Anr.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Ms N.G. Choubey, Counsel for the applicant/petitioner.
Ms S.M. Tripathi, Counsel for respondent no.1.
Shri G.S. Umale, A.G.P. for respondent no.2.

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CORAM : ANIL L. PANSARE, J.
SEPTEMBER 23, 2024

By present application, the applicant/
petitioner is seeking permission to deposit amount of
Rs.55,227/- in terms of the judgment and order dated
23/12/2022 passed by the Judge, Labour Court, Gondia,
in IDA Application No. 62/2015.

2] The petition has been filed on 23/6/2023.
Interim relief was not granted. No steps were taken by
the petitioner to deposit the decretal amount.

3] Respondent no.1, who worked as Security
Guard with respondent no.2, filed execution proceeding
before the Assistant Labour Commissioner, Gondia, which
is fixed today for issuance of warrant.

4] In context with above, the petitioner, who is
a principal employer, has rushed to this Court with the
instant application. This indicates the manner in which
the petitioner and respondent no.2 have treated
respondent no.1. It appears that all efforts have been

made to deprive respondent no.1 to get his legitimate due.

5] As such, by present petition, the order passed by the Labour Court has been challenged. However, considering the fact that interim relief was not granted, respondent no.1 has rightly filed execution proceeding.

6] In the circumstances, the amount ought to have been deposited before the Assistant Labour Commissioner, Gondia. Nonetheless, the petitioner intends to deposit the amount with this Court. Permission is granted.

7] The petitioner having taken substantial time to take necessary steps, the petitioner shall pay costs of Rs.5,000/- to respondent no.1 within seven working days from today.

8] The learned Counsel for respondent no.1 submits that respondent no.1 shall not press for orders before the Assistant Labour Commissioner, Gondia, for issuance of warrant or execution thereof. The statement is accepted.

9] In view of above, the request made by the petitioner to stay the execution proceeding need not be considered at this stage.

10] The application is disposed of in above terms.

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11] The parties are put to notice that the matter will be taken-up for final hearing on next date.

12] List in the week commencing from 14/10/2024.

(ANIL L. PANSARE, J.)

Sumit