



**IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 13353 OF 2025

The Jalna District Central Co Operative Bank Through Its Managing Director

VERSUS

Sayyad Aafaq Sayyad Mushtaq Hashmi

...

WITH

CIVIL APPLICATION NO. 12924 OF 2025

IN WP/13353/2025

...

AND

WRIT PETITION NO. 13354 OF 2025

The Jalna District Central Co Operative Bank Through Its Managing Director

VERSUS

Ramesh Hasanrao Rao

...

WITH

CIVIL APPLICATION NO. 12923 OF 2025

IN WP/13354/2025

...

AND

WRIT PETITION NO. 13355 OF 2025

The Jalna District Central Co Operative Bank Through Its Managing Director

VERSUS

Shaikh Latif Shaikh Noor

...

WITH

CIVIL APPLICATION NO. 12922 OF 2025

IN WP/13355/2025

...

AND

WRIT PETITION NO. 9040 OF 2025

The Jalna District Central Co Operative Bank Thr Its Managing Director A.J.

Deshmukh

VERSUS

Ashok Balasaheb Deshmukh

...

WITH

CIVIL APPLICATION NO. 12944 OF 2025

IN WP/9040/2025

...

AND

WRIT PETITION NO. 9041 OF 2025

The Jalna District Central Co Operative Bank Ltd., Thr Its Managing Director
A.J. Deshmukh
VERSUS
Asaram Sahebrao Kharat

...

WITH
CIVIL APPLICATION NO. 12943 OF 2025
IN WP/9041/2025

...

AND
WRIT PETITION NO. 9058 OF 2025

The Jalna District Central Co Operative Bank Ltd., Thr Its Managing Director
A.J. Deshmukh
VERSUS
Satyanarayan Bansilal Toshniwal

...

WITH
CIVIL APPLICATION NO. 12942 OF 2025
IN WP/9058/2025

...

AND
WRIT PETITION NO. 9059 OF 2025

The Jalna District Central Co Operative Bank Ltd., Thr Its Managing Director
A.J. Deshmukh
VERSUS
Mukund Namdeo Manohar

...

WITH
CIVIL APPLICATION NO. 12941 OF 2025
IN WP/9059/2025

...

AND
WRIT PETITION NO. 9060 OF 2025

The Jalna District Central Co Operative Bank Thr Its Managing Director A.J.
Deshmukh
VERSUS
Gopichand Wacchu Rathod

...
WITH
CIVIL APPLICATION NO. 12940 OF 2025
IN WP/9060/2025
...

AND
WRIT PETITION NO. 9062 OF 2025

The Jalna District Central Co Operative Bank Ltd., Thr Its Managing Director
A.J. Deshmukh
VERSUS
Kishor Vithoba Khillare

...
WITH
CIVIL APPLICATION NO. 12939 OF 2025
IN WP/9062/2025
...

AND
WRIT PETITION NO. 9063 OF 2025

The Jalna District Central Co Operative Bank Ltd., Thr Its Managing Director
A.J. Deshmukh
VERSUS
Madhukar Sitaram Watane

...
WITH
CIVIL APPLICATION NO. 12938 OF 2025
IN WP/9063/2025
...

AND
WRIT PETITION NO. 9065 OF 2025

The Jalna District Central Co Operative Bank Thr Its Managing Director A.J.
Deshmukh
VERSUS
Devidas Abhiman Gaikwad

...
WITH
CIVIL APPLICATION NO. 12937 OF 2025
IN WP/9065/2025
...

**AND
WRIT PETITION NO. 9079 OF 2025**

The Jalna District Central Co Operative Bank Thr Its Managing Director A.J.
Deshmukh
VERSUS
Daulat Sudamrao Tupe

...
**WITH
CIVIL APPLICATION NO. 12936 OF 2025
IN WP/9079/2025**
...

**AND
WRIT PETITION NO. 9094 OF 2025**

The Jalna District Central Co Operative Bank Ltd., Thr Its Managing Director
A.J. Deshmukh
VERSUS
Sanjay Prabhakar Mudiraj

...
**WITH
CIVIL APPLICATION NO. 12935 OF 2025
IN WP/9094/2025**
...

**AND
WRIT PETITION NO. 9095 OF 2025**

The Jalna District Central Co Operative Bank Ltd., Thr Its Managing Director
A. J. Deshmukh
VERSUS
Laxman Sundrrao Telgad

...
**WITH
CIVIL APPLICATION NO. 12934 OF 2025
IN WP/9095/2025**
...

**AND
WRIT PETITION NO. 9096 OF 2025**

The Jalna District Central Co Operative Bank Ltd., Thr Its Managing Director
A.J. Deshmukh
VERSUS

Ashok Kisanrao Bingi

...

**WITH
CIVIL APPLICATION NO. 12933 OF 2025
IN WP/9096/2025**

...

**AND
WRIT PETITION NO. 9098 OF 2025**

The Jalna District Central Co Operative Bank Ltd., Thr Its Managing Director
A.J. Deshmukh

VERSUS

Shivaji Sakharam Salve

...

**WITH
CIVIL APPLICATION NO. 12931 OF 2025
IN WP/9098/2025**

...

**AND
WRIT PETITION NO. 9099 OF 2025**

The Jalna District Central Co Operative Bank Thr Its Managing Director A.J.
Deshmukh

VERSUS

Kashinath Nagoji Magre

...

**WITH
CIVIL APPLICATION NO. 12930 OF 2025
IN WP/9099/2025**

...

**AND
WRIT PETITION NO. 9100 OF 2025**

The Jalna District Central Co Operative Bank Ltd., Thr Its Managing Director
A.J. Deshmukh

VERSUS

Bhanudas Bhagaji Gadekar

...

**WITH
CIVIL APPLICATION NO. 12932 OF 2025
IN WP/9100/2025**

...

**AND
WRIT PETITION NO. 9228 OF 2025**

The Jalna District Central Co Operative Bank Ltd., Thr Its Managing Director
A.J. Deshmukh
VERSUS
Kadaji Tolaji Yetale

...
**WITH
CIVIL APPLICATION NO. 12929 OF 2025
IN WP/9228/2025**

...

**AND
WRIT PETITION NO. 9230 OF 2025**

The Jalna District Central Co Operative Bank Ltd., Thr Its Managing Director
A.J. Deshmukh
VERSUS
Prakash Kundlik Raut

...
**WITH
CIVIL APPLICATION NO. 12928 OF 2025
IN WP/9230/2025**

...

**AND
WRIT PETITION NO. 9231 OF 2025**

The Jalna District Central Co Operative Bank Ltd., Thr Its Managing Director
A.J. Deshmukh
VERSUS
Meerabai Ratan Dandge

...
**WITH
CIVIL APPLICATION NO. 12927 OF 2025
IN WP/9231/2025**

...

**AND
WRIT PETITION NO. 9241 OF 2025**

The Jalna District Central Co Operative Bank Ltd., Thr Its Managing Director
A.J. Deshmukh

VERSUS

Bhujang Yadoba Bhise

...

WITH

**CIVIL APPLICATION NO. 12926 OF 2025
IN WP/9241/2025**

...

AND

WRIT PETITION NO. 9242 OF 2025

The Jalna District Central Co Operative Bank Ltd., Thr Its Managing Director
A.J. Deshmukh

VERSUS

Parmeshwar Dnyanoba Kantule

...

WITH

**CIVIL APPLICATION NO. 12925 OF 2025
IN WP/9242/2025**

...

Advocate for Petitioner : Mr. Tope Sambhaji Subhashrao
Advocate for Respondents : Mr. Sudhir Chavan a/w Mr. Anand Deshpande
and Mr. A. M. Watane
Advocate for Intervenor : Mr. S. V. Deshmukh

...

CORAM : ARUN R. PEDNEKER, J.

Dated : December 19, 2025.

ORDER :

1. Since the subject matter involved in all these petitions is identical, the facts in Writ Petition No. 13353 of 2025 are referred to and discussed for the sake of convenience.
2. Heard.

3. By these petitions, the petitioner challenges the impugned orders passed by the Industrial Court, Jalna, in complaints of unfair labour practice filed under Items Nos. 9 and 10 of Schedule IV of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971. By the said orders, the Industrial Court directed the petitioner-Bank to deposit the difference/arrears of dearness allowance payable from March 2010 till the respective dates of retirement/superannuation of the present respondents, along with interest, in the account of the Industrial Court, with liberty to the respondents to withdraw the said amounts.

4. The facts in all the petitions are identical. The original complainants, who are the present respondents, were permanent employees of the petitioner-Bank working as workmen in different capacities. They were permanent employees and retired from service around the year 2019. The petitioner-Bank had stopped payment of dearness allowance of the employees with effect from 10/05/2010 by passing a general resolution i.e. Resolution No. 31. After their retirement, the respondents approached the Industrial Court, Jalna, seeking payment of difference/arrears of dearness allowance from March 2010 till the date of retirement. The said complaints came to be allowed by the Industrial Court, giving rise to the present petitions.

5. The petitioners have challenged the impugned orders primarily on

the grounds that the resolution freezing dearness allowance was never challenged by the employees between 2010 and 2019, and that after retirement and receipt of all retiral benefits, it was not open for the employees to raise a belated claim for dearness allowance, for the above period.

6. However, in an identical factual situation, this Court has already decided the similar issue in the case of ***Parbhani District Central Cooperative Bank Limited vs. Shivaji Prabhuji Tambile (Writ Petition No. 7027 of 2018, decided on 30/04/2019)***. The said judgment has been upheld by the Hon'ble Supreme Court. The Industrial Court has thus rightly relied upon the said judgment while passing the impugned orders.

7. In the case of ***Parbhani District Central Cooperative Bank Limited*** (supra), the management had passed a resolution dated 28/02/2000 and had stopped payment of dearness allowance in 2010. The arguments advanced by the Bank in the said case were similar and identical to those raised in the present petitions, including the contentions regarding delay, superannuation of employees, absence of challenge to the resolution, financial difficulties of the Bank, and directions issued by NABARD.

8. This Court, after considering all the said arguments, categorically rejected the contentions of the Bank and held that unilateral stoppage/freezing of dearness allowance amounted to a change in service conditions in violation of Section 9A of the Industrial Disputes Act, 1947. Consequently, the writ petitions filed by the Parbhani District Central Cooperative Bank Limited were dismissed.

9. The said judgment was carried in challenge before the Hon'ble Supreme Court. The Hon'ble Supreme Court declined to interfere with the impugned judgment and upheld the directions issued by this Court, while granting reasonable time to the Bank to clear the arrears in installments considering the financial implications.

10. In view of the binding judgment of this Court in ***Parbhani District Central Cooperative Bank Limited*** (supra), as affirmed by the Hon'ble Supreme Court, no independent or surviving argument remains for consideration in the present petitions. The Industrial Court has rightly followed the said precedent while passing the impugned orders.

11. As regards the intervention applications filed by the Co-operative Bank Employees Union, it is pertinent to note that similar applications were earlier rejected by the Industrial Court. The said rejection was challenged by the trade Union before this Court in Writ Petition No. 4991 of 2025 and

connected matters, decided on 09/05/2025. This Court dismissed the said petitions, holding that the intervention was sought at a belated stage only to prolong the proceedings.

12. In the present matters, the Writ Petitions are dismissed at the threshold. No further intervention of applicants is required or permissible.

13. In view of the above discussion and the binding precedents, all the petitions stand dismissed. All pending civil applications also stand disposed of.

14. However, considering the circumstances, the petitioner-Bank is granted eight (08) weeks' time to comply with the orders passed by the Industrial Court.

(ARUN R. PEDNEKER, J.)

vj gawade/-.