

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

WRIT PETITION NO. 2362 OF 2006

Miaami Pharma And Chemicals

...Petitioner

V/s.

Popat Dagdu Bathe

...Respondent

**WITH
INTERIM APPLICATION NO. 3228 OF 2025
IN
WRIT PETITION NO. 2362 OF 2006**

Popat Dagdu Bathe

...Applicant

In the matter between :

Miaami Pharma And Chemicals

...Petitioner

V/s.

Popat Dagdu Bathe

...Respondent

Mr. Sudhir Talsania, *Senior Counsel with Mr. Netaji Gawade
i/b M/s. Sanjay Udeshi & Co. for the Petitioner.*

Mr. Nitin Kulkarni *for Respondent / Applicant.*

CORAM : SANDEEP V. MARNE, J.

Dated : 6 March 2025.

P.C. :

1) The Petitioner-employer has filed the present Petition challenging the Award dated 21 November 2005 passed by Presiding Officer, First Labour Court, Pune, allowing Reference IDA No. 536 of 1997 and directing reinstatement of the Respondent with 50% back wages.

2) I have heard Mr. Talsania, the learned senior counsel appearing for the Petitioner and Mr. Kulkarni, the learned counsel appearing for the Respondent.

3) It appears that while admitting the Petition by order dated 24 April 2006, this Court stayed the direction for reinstatement subject to the condition deposit of entire amount of back wages w.e.f. 1 May 1997. Accordingly, the Petitioner-employer has deposited an amount of Rs.1,32,500/- in this Court in June 2006, which has been invested in interest bearing deposits. Considering this position both Mr. Talsania and Mr. Kulkarni fairly conceded to the position that the Respondent can be permitted to withdraw the entire deposited amount of back wages together with interest accrued thereon towards full and final settlement of the dispute.

4) I accordingly proceed to pass the following order :

ORDER

(i) The Award passed by the Labour Court dated

21 November 2005 shall stand modified to the extent that Respondent shall be entitled to lumpsum compensation in lieu of reinstatement and back wages.

(ii) The amount deposited by the Petitioner in this Court together with accrued interest thereon shall represent the amount of lumpsum compensation payable to the Respondent. Respondent shall withdraw the amount deposited in this Court alongwith accrued interest.

(iii) Beyond the lumpsum compensation so awarded, Respondent shall not be entitled any other service related benefits from the Petitioner.

5) With the above directions, the Petition is disposed off.

6) Rule is made partly absolute.

7) In view of the disposal of the Writ Petition, Interim Application does not survive and the same is also disposed of.

[SANDEEP V. MARNE, J.]