

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2005 OF 2025

Sankalp Engineering and Services
Pvt. Ltd.

....Petitioner

: Versus :

Rashtriya Shramik Aghadi

....Respondent

Mr. Pradeep Thorat *with Mr. Hormuz Mehta i/by. J. Sagar Associates,
for the Petitioner.*

Mr. Sumit Krishnakumar Tiwari, *for Respondent Nos.2 to 13.*

CORAM : SANDEEP V. MARNE, J.

Dated : 7 March 2025.

P.C. :

1) The petition challenges the Award dated 16 October 2024 passed by the Industrial Tribunal, Pune in Reference (IT) No.14/2014 by which the 12 workmen named in para-30 of the Award have been directed to be reinstated with 50% backwages with continuity of service from March, 2013.

2) It is pointed out that the Reference was made at the instance of the Union-Rashtriya Shramik Aghadi which apparently no longer represents the said 12 workmen as observed by the Industrial Tribunal in para-5 of the Award. In that view of the matter, leave is granted to implead the 12 workmen named in para-30 of the Award as

Respondent Nos.2 to 13. Amendment to be carried out forthwith. Mr. Tiwari, the learned counsel would waive service on behalf of Respondent Nos.2 to 13.

3) Mr. Thorat and Mr. Tiwari would jointly submit that the Petitioner and Respondent Nos.2 to 13 have arrived at amicable settlement under which the Petitioner has agreed to offer various amounts towards lumpsum compensation to the 12 workmen towards full and final settlement of all their claims qua the Petitioner-employer. Accordingly, the Petitioner has already made payments towards lumpsum compensation to the 12 workmen in the following manner :

SR.NO.	EMP.NO.	WORKMEN NAME	CHEQUE NO.	CH. DATE	CH. AMOUNT
1	60616	Musharrf Ali Asharaf Ali Jafri	000379	02/03/2025	7,00,000.00
2	60760	Sudam Raghappa Ghogare	000380	02/03/2025	7,00,000.00
3.	60751	Bhikaji Dattatraya Parte	000381	02/03/2025	7,00,000.00
4.	60653	Dinesh Dada Ghadage	000382	02/03/2025	7,00,000.00
5.	60649	Ramesh Gulabrao Zende	000383	02/03/2025	9,00,000.00
6.	60512	Raju Uttamrao Durpade	000384	15/03/2025	9,00,000.00
7.	60400	Raju Mahadev Shinde	000385	15/03/2025	10,00,000.00
8.	50144	Ramesh Radhakrushna Bhalerao	000386	15/03/2025	9,00,000.00
9.	60256	Amol Bhagawan Jawale	000387	15/03/2025	10,00,000.00
10.	60701	Gautam Valmik More	000388	02/03/2025	5,00,000.00
11.	60769	Laxman Nivrutti Khaire	000389	02/03/2025	5,00,000.00
12.	60713	Mahesh Dashrath Phadtare	000390	02/03/2025	5,00,000.00

4) Mr. Tiwari, would confirm receipt of the above amounts of compensation by Respondent Nos.2 to 13. In view of amicable settlement of dispute between the parties on account of payment of lumpsum compensation as detailed above, the impugned Award dated 16 October 2024 will have to be modified. Accordingly, the Award dated 16 October 2024 shall stand modified to the extent that Respondent Nos.2 to 13 (*who are named in para-30 of the Award dated 16 October 2024*) shall be entitled to lumpsum compensation of amounts indicated in the chart towards full and final settlement of all their claims qua the Petitioner-employer. Beyond the lumpsum compensation amounts paid as directed above, Respondent Nos.2 to 13 shall not be entitled to any other service related benefit against the Petitioner. The petition is accordingly **disposed of**.

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[SANDEEP V. MARNE, J.]