

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3293 OF 2025

TMI Staffing Services Pvt Ltd

.. Petitioner

Versus

Sharad Ashok Dhangar & Ors.

.. Respondents

-
- Mr. V.R. Joshi i/by Mr. Chetan Alai, Advocates for Petitioner
-

CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 8, 2025

P. C.:

1. Not on board. Mentioned by way of filing a praecipe dated 08.10.2025.

2. Heard Mr. Joshi, learned Advocate for Petitioner.

3. Perused the impugned order dated 23.09.2024. Contempt proceedings have been initiated against the Petitioner Company for non-implementation of the order dated 23.09.2024, *inter alia* pertaining to transfer order dated 23.01.2024. Respondents employees are employed through Contractor with Petitioner Company admittedly. However when the Petitioner decided to transfer and shift its business and issued transfer orders, Respondents employees rushed to Labour Court seeking restraint. Learned Labour Court granted restraint order against the Petitioner.

4. Petitioner's case is that it does not have any work left in Pune and therefore it desires to shift its operation to Chennai. Needless to state that Petitioner also desired to accommodate the employees if so required.

5. Considering the complaint filed under Section 48 in Execution Proceedings No. 6/2025 against the Petitioner and further relief sought by the employees seeking permanency, Petitioner rushed to Court seeking indulgence of this Court in view of the Contempt proceedings.

6. In view of the above facts, an arguable case is made out by Mr. Joshi for issuance of notice and immediate stay of any coercive proceedings against the Petitioner Company. Hence, no coercive steps shall be taken against the Petitioner Company in furtherance of the aforesaid orders and pending proceedings.

7. In the meanwhile issue notice to the Respondents made returnable on 17.11.2025. Humdast permitted. In addition to Court's notice, Petitioner is directed to serve copy of the Petition along with copy of this order on the Respondents and inform them about the next date of hearing by any permissible mode of service and file appropriate affidavit of service with tangible proof thereof on or before the next date.

8. After receiving the notice, Respondents to file affidavit-in-reply on or before the next date, if so desired with an advance copy to the Advocate for Petitioner.
9. Respondents are directed to remain present either by themselves or through their Advocate on the next adjourned date. It is made clear that if Respondents remain absent despite service on the next adjourned date, this Writ Petition shall be heard and disposed of at the stage of admission in the absence of the Respondents.
10. Learned Trial Court shall take cognizance of this order.
11. Stand over to **17th November, 2025.**

Amberkar

[MILIND N. JADHAV, J.]

RAVINDRA
MOHAN
AMBERKAR

Digitally signed
by RAVINDRA
MOHAN
AMBERKAR
Date:
2025.10.09
11:27:48 +0530