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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.48 OF 2025

OGGO Exports

...Petitioner

Versus

Manoram Sobai Kanojia & Ors.

...Respondents

Mr. Manoj Gujar *with Mr. Pradeep Kumar i/b. C.R. Naidu & Co., for the Petitioner.*

Ms. Vrushali Kabre, *AGP for State, Respondent No.7 & 8.*

**CORAM : SANDEEP V. MARNE, J.
DATE : 4 DECEMBER 2025.**

P.C.:

- 1) Heard Mr. Gujar, the learned Counsel appearing for Petitioner.
- 2) Despite being served with Notice, Respondent No.1 has not bothered to appear before this Court.
- 3) The Petitioner challenges Certificate dated 29 December 2023 issued by Assistant Commissioner of Labour, Mumbai, directing recovery of amount arising out of the Judgment and Order dated 3 May 2019 passed by Presiding Officer, 11th Labour Court, Mumbai, in Reference (IDA) No.86 of 2014.

- 4) Mr. Gujar submits that the Judgment and Order dated 3 May 2019 has been stayed by this Court in Writ Petition No.2524 of 2019.
- 5) In view of the Order of the Labour Court being stayed, there is no question of initiation of any recovery proceedings or issuance of any recovery order. In that view of the matter, impugned Recovery Certificate is liable to be set aside.
- 6) I accordingly proceed to pass the following Order:
 - (i) Certificate dated 29 December 2023 issued by Assistant Commissioner of Labour, Mumbai, under Section 33 C(2) of the Industrial Disputes Act, 1947 is set aside.
 - (ii) In the event of the order of the Labour Court being upheld, Respondent No.1 would be at liberty to initiate fresh Recovery Proceedings.
- 7) Writ Petition is allowed in above terms. There shall be no order as to costs.

(SANDEEP V. MARNE, J.)