

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

WRIT PETITION NO.1131 OF 2025

Gem and Jewellery Workers Union

....Petitioner

V/S

Renaissance Global Limited & Anr.

....Respondents

**WITH
WRIT PETITION NO.3941 OF 2025**

Renaissance Global Limited

....Petitioner

V/S

Gem and Jewellery Workers Union

....Respondent

Mr. Ashok Kotangle with Mr. Vishnu Chaudhari, Mr. Nikitesh Kotangale, Mr. Narendra A. Bhagat, Ms. Neha Pende and Ms. Suchta Garud *for the Petitioner in WP 1131 of 2025 and for Respondent in WP 3941 of 2025.*

Mr. Kiran S. Bapat, Senior Advocate with Mr. Sachin Pathak and Mr. Niraj Prajapati for Petitioner in WP 3941 of 2025 and *for Respondents in WP 1131 of 2025.*

**CORAM : SANDEEP V. MARNE, J.
DATE : 12 NOVEMBER 2025.**

P.C.:

1. These two cross-Petitions challenging the final Part-II Award dated 30 April 2024 passed by the Industrial Court in Reference (IT) No.19 of 2013. By the impugned Award the Industrial Court, while holding that the charge against workmen could not be established, directed payment of lumpsum compensation to each of them instead of ordering their reinstatement or directing payment of backwages. The employer is aggrieved by Award and challenges the findings recorded by

the Industrial Court about failure to prove the charge. Accordingly the employer has filed Writ Petition No.3941 of 2025. On the other hand, the Union of workmen is aggrieved by non-grant of reinstatement and backwages by the Industrial Court and has accordingly filed Writ Petition No.1131 of 2025.

2. I have heard Mr. Bapat, the learned Senior Advocate appearing for the Employer and Mr. Kotangale, the learned counsel appearing for Workers Union.

3. At the outset Mr. Bapat would submit that Reference was in respect of 15 workmen. He would submit that out of the said 15 workmen following seven workmen has agreed to accept the compensation awarded by the Industrial Court:

1.	Mr. Nanaso Panaskar	Rs.2,05,000/-
2.	Mr. Bablu Pramanik	Rs.2,00,000/-
3.	Mr. Vasant Gawade	Rs.2,00,000/-
4.	Mr. Srikant Deysarkar	Rs.5,50,000/-
5.	Mr. Nayan Jalui	Rs.5,50,000/-
6.	Mr. Rakesh Adhikari	Rs.5,00,000/-
7.	Mr. Manas Bhattacharjee	--

4. Mr. Bapat would submit that the amount of compensation awarded to the above named seven workmen has already been paid to them. This essentially would mean that Writ Petition No.1131 of 2025

would survive only in respect of balance eight workmen. Further more since the employer has paid the amount of compensation as directed by the Industrial Court to the above named seven workmen, there is implied acceptance of the Award by the Management and accordingly Writ Petition No.3941 of 2025 is rendered infructuous in that sense.

5. In Writ Petition No.1131 of 2025 the Union now presses demand for reinstatement and backwages in respect of the balance eight workmen. The other seven workmen have already accepted the above. Perusal of the Award of the Industrial Court would indicate that the Industrial Court has recorded a finding that the action of the dismissal of the workmen could not be justified by the employer by way of cogent evidence. However, when it came to granting relief in favour of the workmen the Industrial Court considered the aspect that relationship between the parties was strained and considerable period of time had elapsed. The dismissals were effected in the year 2012 now period of 13 long years has passed. In that view of the matter, the Industrial Court decided to grant lumpsum compensation to the workmen rather than considering the relief of reinstatement and/or backwages. The Industrial Court has thereafter conducted an elaborate enquiry into the quantum of lumpsum compensation payable to each of the workmen. It took into consideration the period of service rendered by each of the workmen and the last wages drawn by them. Accordingly the quantum of lumpsum compensation has been determined by the Industrial Court.

6. I do not see any serious error on the part of the Industrial Court in holding that the concerned workmen are entitled to lumpsum compensation instead of reinstatement and/or backwages. I also do not

find any error in the exercise conducted by the Industrial Court in determining the amount of lumpsum compensation. As observed above, about 50% of the workmen have already accepted the amount of compensation ordered by the Industrial Court. In view of the above, I do not find any valid reason to interfere in the impugned Award in Petition filed by the Employer or by the Union.

7. Both the Writ Petitions are accordingly dismissed.

Digitally
signed by
SUDARSHAN
RAJALINGAM
KATKAM
Date:
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(SANDEEP V. MARNE, J.)