



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 6286 OF 2019

(The City of Nagpur Municipal Corporation, Nagpur and another vs. Subhash s/o Sukhdeo and others)

WITH

WRIT PETITION NO. 143 OF 2020

(Subhash s/o Sukhdeo and others VS. The City of Nagpur Municipal Corporation, Nagpur and another)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. S.N.Bhattad Advocate for petitioner.
Mr. M.Anilkumar, Advocate for respondent No.1.

CORAM : SIDDHESHWAR S. THOMBRE, J.
NOVEMBER 11, 2025

- 1) Heard learned counsel for the respective parties.
- 2) In both these petitions, the order dated 13/07/2018 passed by the Assistant Labour Commissioner and Appropriate Authority under the Minimum Wages Act, 1948 is being assailed.
- 3) As both the counsels have submitted that the authority has not considered the issue of imposition of penalty under the Act. On this ground alone, the order passed by the authority is liable to be set aside and matter needs to be remanded back.
- 4) After going through the order impugned, I find that no findings were recorded by the authority on the issue of imposition of penalty, therefore, it would be appropriate to set aside the order and remand the matter to the authority to decide it afresh.

- 5) It was pointed out that the petitioner in Writ Petition No.6286/2019 as per order dated 18/10/2022, deposited the amount of Rs.13,87,992/- in this Court. In view of the issue involved in the present petition, and to facilitate the disbursement of the aforesaid amount to the employees, who are respondent Nos.1 to 34, the petitioner Corporation is permitted to withdraw the said amount along with accrued interest thereon. After withdrawal of the amount, the Corporation shall credit the said amount to the accounts of respective respondents/legal heirs within a period of two weeks thereafter.
- 6) Let the authority to decide the proceeding within three months from today. All the issues are kept open. With these observations, both these petitions are disposed of.

(SIDDHESHWAR S. THOMBRE, J.)