



Andreza

**IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 61 OF 2024**

M/s. Suryodyog, Through its Proprietor,
Suryakant Narvekar, 57 years of age, H. No.
144/1, Near Sea Shore, Siridao, Ilhas, Goa...Petitioner
403108

Versus

1. Shri Pandurang V. Kolambkar, H. No.
714/B, Taigini, Bethoda, Ponda, Goa,
403401.

2. M/s. Swami Samarth Krupa Industries,
Proprietor Mrs. Nila Raju Naik, S-2, Second
Floor, Shiv Sadan Apartments, Nova Cidade
Enclave, Opp. Shree Niketan Child Care,
Porvorim, Sangolda, Goa, 403 521. ...Respondents

**Mr. Sarvesh Dinker Kamat Malyekar, Advocate for the
Petitioner.**

Mr. Sagar Dhargalkar, Advocate for the Respondent no.1.

Ms. Maria Cotta Viegas, Advocate for Respondent no. 2.

CORAM: DR. NEELA GOKHALE, J.

DATED : 21st JANUARY, 2026

P.C.

1. By way of this Petition, the Petitioner seeks issuance of a Writ of Certiorari, to quash and set aside the impugned order dated 27.02.2023 passed by the Labour Court - II, Government of Goa, at Panaji, in case no. Ref.LC-II/IT/03/21.

2. Heard, Mr. Malyekar, learned Counsel appearing for the Petitioner, Mr. Dhargalkar, learned Counsel appearing for Respondent

no. 1. Ms. Viegas, learned Counsel, appeared for Respondent no.2, the original employer.

3. During the course of hearing, it transpired from the roznama of the Labour Court, dated 08.04.2021 that the notice issued to the party no. II, i.e. the Petitioner herein, was returned with a postal endorsement "unclaimed/returned to sender". The concerned authority has recorded a remark that this endorsement is presumed to be a good service. Hence, the party no. II, i.e. the Petitioner herein was taken to have been duly served. On every date thereafter, the Roznama records that no one appears for the party no. II, i.e. the Petitioner herein before the Labour Court and, accordingly, the award which is impugned herein was passed exparte.

4. Mr Dhargalkar, learned Counsel appearing for the Respondent no.1, submits on instructions from the Respondent no.1, who is present in Court, that the matter may be remanded to the Labour Court for re-hearing. Mr Dhargalkar also agrees that the Respondent no.1 will put in his appearance and file his detailed statement supporting the claim statement.

5. In view of the aforesaid, the impugned award dated 27.02.2023 is set aside and the claim statement is remanded to the Labour Court for hearing afresh.

Both the parties to appear before the concerned authority on 02.02.2026 and put in their appearance for the respective parties. Thereupon, the competent authority is directed to hear the matter afresh and pass appropriate orders.

6. The Labour Court shall decide the matter expeditiously and preferably within a period of three months from the date of which the parties first appear before the authority i.e. on 02.02.2026.

7. All contentions of all the parties are left open to be agitated before the Labour Court.

8. Writ Petition is disposed of.

9. Parties to act on the basis of an authenticated copy of this order.

DR. NEELA GOKHALE, J