



Andreza

**IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 15 OF 2026**

Shri Srinivass Shinde

...Petitioner

Versus

1. Directorate of Skill Development &...Respondents
Entrepreneurship & 3 Ors.

Mr. Shivraj Gaonkar, Advocate with *Mr. Shithil Prabhudessai, Advocate for the Petitioner.*

Mr. Rishikesh Gawas, Advocate for the Respondent nos. 1 and 2.

CORAM: DR. NEELA GOKHALE, J.

DATED : 21st JANUARY, 2026

P.C.

1. Heard Mr Gaonkar, learned Counsel appearing for the Petitioner.

2. By way of the present Writ Petition, the Petitioner assails the Order dated 26.11.2025 passed by the Industrial Tribunal and Labour Court in Appeal No. SH-01/2025 and seeks quashing and setting aside of the said impugned order.

3. By the impugned order, the Industrial Court has held the appeal to be without merits, on the ground that *prima facie* no injury is shown to have been caused to the Appellant/Petitioner herein, on account of the conclusion of the Internal Complaints Committee (ICC). The Tribunal held that the remedy to address the so-called grievance lies in Section 14, only provided a *prima facie* case is made out about the

alleged malicious intention to cause harm to the Petitioner herein/Appellant by the Respondent no. 3.

4. Mr Gaonkar submits that *albeit*, Section 14 of the POSH Act gives a discretion to the Committee to make a recommendation to the employer or the District Officer as the case may be, to take action against the person who has made a malicious complaint, section 18 of the said Act provides for an appeal to be preferred by any person aggrieved by the recommendations.

5. In these circumstances, the Petitioner is well within his rights to appeal against the recommendations of the Committee. As such, the impugned Order is bad in law and cannot be sustained. He has thus challenged the same before this Court by way of the present Petition.

6. Mr Gawas, learned Counsel, waives notice on behalf of Respondent nos. 1 and 2.

7. Issue notice to the Respondent nos. 3 and 4, returnable on 27th February, 2026.

8. A spare copy should be provided to the Registry to facilitate the issuance of notice. In addition to the Court notice, the Petitioner is permitted to serve the Respondent nos. 3 and 4 by private notice and

by all means permissible in law. The affidavit of service be filed on or before the next date.

9. The parties are put to notice that an endeavor shall be made to dispose of the Petition at the stage of admission itself.

10. Stand over to 27th February, 2026.

DR. NEELA GOKHALE, J