IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 14952 OF 2023

The Joint Secretary Nashik
Zilla Mazdoor Sangh **... Petitioner**

Versus

Chief Executive Officer **... Respondent**

Mr. V. P. Vaidya *a/w Mahendra Agvekar for Petitioner.*
Mr. T. R. Yadav *i/b Mr. R. V. Paranjape for Respondent.*

CORAM : SANDEEP V. MARNE, J.

DATE : 22 OCTOBER 2026.

P.C. :

1) The Petition challenges Order dated 26 November 2021 passed by the Authority under Section 33-C(1) of the Industrial Disputes Act, 1947 (**ID Act**) and Regional Labour Commissioner (Central), Mumbai rejecting the application preferred by the Petitioner-Union under provisions of Section 33-C(1) of the ID Act.

2) I have heard Mr. Vaidya, the learned counsel appearing for the Petitioner and Mr. Yadav, the learned counsel appearing for Respondent. I have gone through the reasons recorded by the Authority in the impugned order dated 26 November 2021.

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3) After going through the reasons recorded by the Authority in the impugned order, it appears that the application is rejected essentially on account of certain discrepancies in the statement filed by the Petitioner-Union. The claim of the Petitioner-Union is for payment of balance 40% wages for the months of May, June and July 2020 and full wages for August and September 2020. If there were any discrepancies in the statement, the Authority ought to have granted an opportunity to the Petitioner-Union to clear those discrepancies.

4) In my view, therefore, the application deserves to be re-adjudicated by the Authority for the purpose of proper adjudication. It is appropriate that the Petitioner-Union submits a fresh statement before the Authority indicating the necessary particulars of its demand. Accordingly, I proceed to pass the following order:

i) Order dated 26 November 2021 passed by the Authority is set aside.

ii) Application preferred by the Petitioner-Union is remanded to the Authority for fresh adjudication.

iii) Petitioner-Union shall file a fresh statement of claim before the Authority within a period of six weeks.

iv) The Authority shall re-adjudicate the claim of the Petitioner-Union as expeditiously as possible, preferably within a period of six months.

5) All contentions of the parties on merits are expressly kept open.

6) The Writ Petition is **disposed of**.

[SANDEEP V. MARNE, J.]