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25_wp_18068_2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.18068 OF 2024

Pradeep Laxman Chavan

...Petitioner

V/s.

Aplab Limited

...Respondent

Mr. Mayuresh D. Modgi *for the Petitioner.*

CORAM: SANDEEP V. MARNE, J.

DATED: 12 JUNE 2026.

P.C.:

- 1) Petition challenges judgment and order dated 23 August 2024 passed by the learned Member, Industrial Court, Thane, dismissing Complaint (ULP) No.44 of 2011.
- 2) I have heard Mr. Modgi, the learned counsel appearing for the Petitioner and have considered the submissions canvassed by him.
- 3) In the present case, there is a settlement dated 31 July 2006 entered into between the Union and the Respondent -Employer, in which agreed that age of retirement would be 58 years. Though Petitioner sought to challenge the settlement in Complaint (ULP) No.44 of 2011, he

did not implead the Union, which signed the said settlement. Even the signatories to the settlement were not impleaded to the Complaint. The Industrial Court has accordingly declared the settlement to be valid. It is well settled position that date of retirement specified in clause 27 of the Model Standing Order can be modified by way of settlement with the Union. In that view of the matter, no interference is warranted in the impugned order.

4) Writ Petition is accordingly **rejected**.

[SANDEEP V. MARNE, J.]