

Shabnoor

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10776 OF 2025

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Chandrashekhar Balkrishna Sawant ... Petitioner

V/s.

Union Of India & Ors. ... Respondents

Ms. Neha R. Parte, for the Petitioner.

Mr. Vinit Jain a/w Gaurav, Ashutosh M. for Respondent No.1.

Ms. Payoja Gandhi a/w Ms. Devangi Manjrekar, respondent No.2 – Employees' Provident Fund Organisation.

Mr. Vivek Patil a/w D. Sawant, Apurva Renuke i/b Vivek Patil & Associates, for Respondent No.3.

CORAM : AMIT BORKAR, J.

DATED : APRIL 30, 2026

P.C.:

1. The present petition, as it is coming before this Court, is arising from rejection of claim made by petitioner for getting higher wages. The rejection, as seen from impugned order, is mainly resting on ground that certain documents, which are mentioned in Clauses (a) to (f), were either not available on record or were not properly taken into consideration at time of deciding the claim.

2. It is required to be noted that such ground is having bearing on rights of petitioner. Because if documents are not looked into, then decision may become incomplete. At same time, it is also to

be understood that authority passing order is expected to consider only such material which is placed before it.

3. During pendency of this petition, certain developments have taken place. The employer, who is contesting the claim, has now placed on record the necessary documents before respondent No. 2. Also, an affidavit-in-reply is filed before this Court in compliance with earlier directions. This shows that material which was earlier stated to be absent is now made available.

4. In light of above situation, this Court finds that the impugned order dated 25 November 2024 cannot be allowed to stand. Therefore, in overall assessment, the impugned order deserves to be quashed and set aside, so that fresh decision can be taken on complete record.

5. It is also clarified that employer is at liberty to place on record any further documents, if available, before respondent No. 2.

6. Accordingly, the matter is required to be sent back to respondent No. 2 for fresh consideration. While doing so, it is necessary to observe that respondent No. 2 shall decide the claim strictly in accordance with law. Proper opportunity of hearing shall be given to petitioner, so that petitioner can explain his case fully. All relevant materials, including those documents which are now placed on record, must be considered in their proper perspective.

7. It is directed that respondent No. 2 shall complete the process within period of six weeks from date of this order.

8. With these directions, the writ petition stands disposed of.

(AMIT BORKAR, J.)