



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 1888 OF 2026

(Sushil s/o Gajanan Tayade Vs. State Bank of India through The Deputy General Manager & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. V.B. Bhise, Counsel for the petitioner.

Mr. S.N. Kumar, Counsel for respondent nos. 1 to 3.

Mr. C.J. Dhumane, Counsel for respondent nos. 4 and 5.

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CORAM : ANIL S. KILOR AND
RAJ D. WAKODE, JJ.
APRIL 28, 2026

Heard.

2] The learned Counsel for the petitioner points out that on termination of the petitioner, the matter was referred for conciliation to the Regional Labour Commissioner, who, vide communication dated 13/11/2025, disposed of the said conciliation proceeding in view of the statement of the Management that the petitioner will be re-engaged as an outsourcing worker.

3] It is the case of the petitioner that he is an employee of the State Bank of India (SBI), and therefore, engaging him through outsourcing agency will take away his rights as an employee of SBI. It is submitted that since failure report is not submitted by the Regional Labour Commissioner but conciliation proceeding was disposed of by not recording any finding, it is causing hurdle in approaching the Central Government Industrial Tribunal.

4] The letter dated 13/11/2025 though stated that the matter was disposed of, we are of the opinion that impliedly, it discloses that the conciliation is failed, if

it is the case of the petitioner that he is an employee of the SBI, and not an employee appointed on contractual basis. Moreover, sub-section (2) of Section 2A of the Industrial Disputes Act, 1947, does not prohibit the petitioner from approaching the Tribunal after expiry of forty-five days from the date of application made to the Conciliation Officer.

5] Accordingly, the petition is disposed of.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)

Sumit