

Exh.O-17

BEFORE SHRI. PRASHANT H. INGALE, PRESIDING OFFICER
FIRST LABOUR COURT, MUMBAI

REFERENCE (IDA) NO. 47 OF 2022
(CNR No. MHLCO10006532022)

BETWEEN

M/s. H.D.F.C. Bank

...First Party

And

Mr. Harshit Katwala

...Second party

ORDER BELOW EXH.U-29**(Passed on 14/08/2026)**

1. Present application is directed, urged by first party company to produce original copy of corrected power of attorney provided by board alongwith verified signature and rejected in fraudulent representation by the first party, on the ground assigned therein. Perused the reply by first party vide Exh.C-22 resisted on grounds.

2. Heard both sides at length. Perused relevant grounds. The party in person appearing Mr. Harshit Katwala as second party. Having regard to the submissions following points arise for my determination and I have recorded my findings alongwith reasons are as following;

Sr. No.	POINTS	FINDINGS
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1) Whether it would be just and proper to direct the respondents to place on record original copy of power of attorney which gives power, authority in this Reference case?

In negative.

2) What order?

As per final order.

REASONS

As to point no.1:-

3. To substantiate the application, the second party workman who appeared as party-in-person has submitted that, respondent bank representing in this case Ref.(IDA) relied on unauthentic copy of power of attorney executed by Chief Ethics Officer being authority given is invalid. He has first challenged the authority who has executed the power of attorney. He has relied in a case of **United Bank of India V/s. Sh. Naresh Kumar and Ors. on 18 September, 1996**. The authority by Hon'ble Apex Court, it squarely governs the plaint and other allied issues. It's squarely pertains to the order 6 Rule 14 of Civil Procedure Code.

4. In the case relied in a case of United Bank of India above peculiar facts, Mr. L. K. Rohatgi must have authorized to sign plaint and rectification of the action. Per contra first party submitted that verified from original Power of Attorney is already placed on record. Considering all above aspects present reference is referred by Dy. Commissioner of Labour, Mumbai on 14/03/2022. Issues have been framed below Exh.O-7, the verified copy of power of attorney is at Exh.C-27.

5. Now, the Hon'ble High Court has made this proceeding with clearly direction to adjudicate in a time frame manner. Issue of appropriate governments needs to be adjudicated. In view of placing of Exh.C-27 on record. It shall be subject in the cross examination, it is the desire and wisdom of parties to adduce the evidence or some evidence as deemed fit, relevant to the issue. The Court can not direct or terms to

adduce evidence in a particular manner and or in a particular way only the court is having inherent power to put a question to the witness relating to the subject matter. Therefore, such direction can not be issued under The Industrial Dispute Act, 1947. Resultantly, I answer point No.1 in the negative. In the result following order is passed.

ORDER

Application at Exh.U-29 is rejected, case to proceed further for adjudication of appropriate government as directed by the Hon'ble High Court.

Date: 14/08/2026

(Prashant H. Ingale)
Presiding Officer
First Labour Court, Mumbai.

pps/-