

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3350 OF 2025

Prasanna Janardhan Dhalpe .. Petitioner
Versus
Walchandnagar Industries Ltd. .. Respondent

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- Mr. Aniruddha M. Sanap, Advocate for Petitioner.
 - Mr. S.L. Babar, AGP for Respondent - State.

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CORAM : MILIND N. JADHAV, J.

DATE : JULY 01, 2025

P. C.:

1. Heard Mr. Sanap, learned Advocate for Petitioner and Mr. Babar, learned AGP for Respondent - State.

2. Petitioner before me is an employee of Respondent - Company. Present Petition assails order dated 04.07.2024 passed by the Industrial Court allowing a complaint filed by Petitioner against the Company seeking permanency in service. By virtue of the impugned order Petitioner has been granted permanency with all benefits from the date of filing of the complaint i.e. 03.10.2016. Grievance of the Petitioner is that he is entitled to permanency from the date of his joining/confirmation in the Respondent – Company.

3. Learned Advocate has informed the Court that between 2009 and 2021 services of the Petitioner stood terminated from the

Company. He would submit that in view of the oral termination in the year 2009 Petitioner filed Complaint ULP No.151/2009 which came to be allowed by order dated 13.11.2021 granting his reinstatement. He would fairly inform the Court that said order of reinstatement is under challenge before the Industrial Court in Revision by the Petitioner as also by the Company in cross revision applications. The Petitioner has sought back-wages whereas the Company has challenged the order of reinstatement *per se*. Both proceedings before the Industrial Court are pending and the next date is 30th July, 2025.

4. When the aforesaid facts are seen fructification and culmination of the revision proceedings would entailed to the benefit of either of the parties to argue the present Petition regarding permanency.

5. In that view of the matter and without prejudice to the rights or contentions of Respondent – Company also, I am inclined to direct the concerned Industrial Court seized with hearing the pending Revision Applications filed by Petitioner and the Company against the order dated 13.11.2021 passed in ULP No.151/2009 and decide the same as expeditiously as possible on the adjourned date i.e. 30th July, 2025 or at the highest within a period of 4 weeks thereafter.

6. Copy of this order shall be served on the Respondent – Company by the learned Advocate for Petitioner. In view of the above, issue notice to the Respondent Company in the present Writ Petition.

7. In addition to Court notice, Petitioner is permitted to serve a copy of the Writ Petition and this order on Respondent – Company and inform about the next date of hearing by any permissible private mode of service and file appropriate Affidavit of service with tangible proof thereof on or before the next date.

8. Copy of this order shall be placed before the Industrial Court seized with the hearing the pending twin Revision Applications on 04.07.2025 at 11:00 am. The concerned Presiding Officer of the Industrial Court is directed to take cognizance of this order and accordingly issue notice to the parties and ensure that Revision Applications are heard and decided as directed hereinabove.

9. Needless to state that both the parties shall be heard by Presiding Officer of Industrial Court while deciding the Revision Applications and a reasoned order be passed therein.

10. Stand over to **29th July, 2025.**