

Ajay

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

WRIT PETITION NO. 12096 OF 2023

Sachin Dilip Sabale

Petitioner (Orig.
.. Complainant)

Versus

The Manager, Udyam Vikas Sakhar Bank Ltd.,
Pune

Respondent (Orig.
.. Respondent)

-
- Mr. Pankaj Thakur a/w. Mr. Sanjay Ranjane i/by Prakash Kulkarni,
Advocate for Petitioner.

.....

CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 31, 2023.

P.C.:

- 1.** Heard Mr. Thakur, learned Advocate for the Petitioner.
- 2.** Mr. Thakur has drawn my attention to the impugned judgment dated 13.08.2021 passed by the learned Industrial Court, Pune in Revision Application (ULP) No.38 of 2019 modifying the order of the learned Labour Court, Pune in Complaint (ULP) No.23 of 2014.
- 3.** Briefly stated, Petitioner was working as a peon with the Respondent – Bank since 28.06.2002 and until 2011 when he was orally terminated without assigning any reason.
- 4.** He has filed Complaint (ULP) No.23 of 2014 which was decided by the learned Labour Court on 26.02.2019 which directed reinstatement of the Petitioner alongwith full backwages in the

Revision which was preferred by Respondent – Bank. The judgment of the learned Labour Court was modified and though the order of reinstatement was retained, the relief of backwages was halved. Infact, the backwages were also further restricted to the period from 23.10.2017 to February, 2019 only. This is the limited grievance of the Petitioner in the Petition since from January, 2023 Petitioner has been reinstated by the Bank and is now working with the Respondent - Bank.

5. An arguable case has been made out by Mr. Thakur on the basis of the order passed by the learned Labour Court in Revision.

6. Hence, issue notice to the Respondent. Humdast permitted.

7. In addition to Court notice, Petitioner is permitted to serve the Respondent and inform it about the next date of hearing by any permissible mode of service and file appropriate Affidavit of service with tangible proof thereof on or before the next date.

8. Respondent is directed to file its Affidavit-in-Reply before the next date.

9. Stand over to **11th December, 2023.**

[MILIND N. JADHAV, J.]