

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

908. WRIT PETITION NO.14928 OF 2024

Sanjay Shamrao Bhor .. Petitioner
Versus
Pune Municipal Corporation PMC Building .. Respondent

909. WRIT PETITION NO.15166 OF 2024

Prashant Harishchandra Bibave .. Petitioner
Versus
Pune Municipal Corporation PMC Building .. Respondent

910. WRIT PETITION NO.15167 OF 2024

Amol Balasaheb Tapkir .. Petitioner
Versus
Pune Municipal Corporation PMC Building .. Respondent

911. WRIT PETITION NO.15168 OF 2024

Shashibhushan Maruti Hole .. Petitioner
Versus
Pune Municipal Corporation PMC Building .. Respondent

912. WRIT PETITION NO.15169 OF 2024

Chetan Pandurang Chattar .. Petitioner
Versus
Pune Municipal Corporation PMC Building .. Respondent

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• Mr. Nitin Kulkarni, for Petitioners.

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CORAM : MILIND N. JADHAV, J.

DATE : JULY 10, 2025

P. C.:

- 1.** Heard Mr. Kulkarni, learned Advocate for Petitioners.

2. Petitioners before me are workmen. They were employed with Respondent – Corporation as contract labourers on daily wages. After serving the Corporation for a while their services were terminated. Resultantly Petitioners filed ULP Complaint wherein by order dated 30th July, 2010 Industrial Court, Pune allowed the ULP Complaint partially. Industrial Court directed Corporation to continue the Petitioners as employees until selection of candidates by recruitment procedure and after the said candidates joined services of the Corporation, thereafter Corporation discontinued the services of the Petitioners. This order is appended at page No.40 and operative portion of said order is at page No.53 of the Petition.

3. Grievance of Petitioners is that without compliance of the aforesaid order and more specifically clause 2 of the operative part of it, immediately in 2011 itself services of Petitioners were discontinued. Mr. Kulkarni would submit that being aggrieved Petitioners approached the Labour Court which raised reference under Section 2A of the Industrial Disputes Act, 1947. He would submit that said reference was numbered as Reference ID No.12/2016. Said reference is answered in the negative by the impugned order dated 30.05.2024 which is the subject matter of the Writ Petitions. He would draw my attention to the reasons stated in paragraph No.49 of the impugned

order. It is stated therein that the real date of termination in the case of Petitioners would be deemed to be 21st January, 2010.

4. *Prima facie* contents of paragraph No.49 are directly in the teeth of the directions contained in the operative clause 2 and 3 of the order dated 30.07.2010 passed by the Industrial Court.

5. In view of the above, Mr. Kulkarni has made out a case for issuance of notice. Hence issue notice to the Respondents made returnable after two weeks. Humdast permitted.

6. In addition to Court notice, Petitioner is permitted to serve a copy of the Writ Petitions and this order on Respondent and inform them 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.

7. Stand over to **24th July, 2025.**