



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3684 OF 2016

M/s Cosmo Films Ltd.

....Petitioner

VERSUS

Shri Ramesh Dhirendranath Paul

....Respondent

.....

Mr. N.S. Suvarnakar, Advocate holding for
Mr. T.K. Prabhakaran, Advocate for petitioner
Mr. Abdullah A. Shaikh, Advocate holding for
Mr. A.S. Bayas, Advocate for respondent

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 7th MAY, 2026

ORDER:

1. Not on board. Taken on board at 2.30 p.m. as learned counsel for both the sides mentioned this matter.

2. The petitioner is aggrieved by the judgment and order dated 26/10/2015, passed by learned Labour Court, Aurangabad in Reference (IDA) No.50/2009, whereby the respondent was reinstated with continuity in service and 50% back wages. During the course of hearing, learned counsel for the respondent filed an undertaking by the respondent, copy of which is already given to



the learned counsel for the petitioner, contending therein that he is ready and willing to forego 50% back wages as directed by the Labour Court, Aurangabad in Reference (IDA) No.50/2009 in the event of extending all consequential benefits of reinstatement in the employment of the petitioner Company, as contemplated under clause (5) of the operative part of the order dated 26/10/2015. The undertaking filed by the respondent is taken on record and marked as "X" for identification. Therefore, as regards the back wages are concerned, it need not be considered as the respondent has given undertaking as stated above.

3. As regards reinstatement is concerned, it was submitted by both the learned counsel for the parties that, pursuant to the order passed by the Labour Court, the respondent/ workman is already reinstated in service and he is working. In view of this fact, and as the respondent has already filed an undertaking and shown his readiness and willingness to forego 50% back wages as directed by the learned Labour Court, I am inclined to set aside clause (5) of the operative part of the order dated 26/10/2015. As the respondent is already reinstated in service, it is made clear that, rest of the order passed by the learned Labour Court is hereby confirmed



and the respondent/ employee is entitled to receive all the consequential benefits pursuant to the judgment and order dated 26/10/2015, passed by learned Labour Court, Aurangabad in Reference (IDA) No.50/2009.

4. Writ Petition stands disposed of accordingly.

(SIDDHESHWAR S. THOMBRE, J.)

fmp/-