

(CORRECTED)

ITEM NO.18 Court 10 (Video Conferencing)

SECTION IX

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).19809/2021

(Arising out of impugned final judgment and order dated 27-10-2021 in WP No. 5354/2021 passed by the High Court Of Judicature At Bombay)

M/S PREMIUM TOOLS PRIVATE LTD. &amp; ANR.

Petitioner(s)

VERSUS

KISHOR MAHALE &amp; ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.156445/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.156446/2021-EXEMPTION FROM FILING O.T.)

Date : 06-12-2021 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE K.M. JOSEPH  
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Petitioner(s) Mr. Shivaji M. Jadhav, Adv.  
Mr. Anish R Shah, Adv.  
Ms. Astha Deep, Adv.  
Mr. Brij Kishor Sah, Adv.  
Ms. Qurratulain, Adv.  
Mr. Aditya S. Jadhav, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Learned counsel for the petitioners would point out that the High Court has proceeded on the basis that challenge in the writ petition is directed only against the recovery certificate and there is no challenge to the proceeding on the basis of which the recovery certificate is issued. He would further submit that there is challenge to the main proceeding which consists of recovery

certificate as issued under Section 33C(1) of the Industrial Disputes Act, 1947.

However, more importantly, he would submit that given two months' time the petitioners will pay of the entire amount due under the recovery certificate. We leave it open to the petitioners to file review petition before the High Court, wherein he can address the said submissions. It will be open to the High Court to grant appropriate relief, including interim relief. With the aforesaid observations, the Special Leave Petition is disposed of.

We also reserve right to the petitioners to approach this Court in case the review is unsuccessful.

Pending application(s), if any, also stands disposed of.

(JAGDISH KUMAR)  
COURT MASTER (SH)

(RENU KAPOOR)  
BRANCH OFFICER

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