



Amrut

IN THE HIGH COURT OF BOMBAY AT GOA

**WRIT PETITION NO.436 OF 2025
WITH
MISC.CIVIL APPLICATION NO.2782 OF 2026 (F)**

WRIT PETITION NO.436 OF 2025

M/S. U. P. STATE BRIDGE
CORPORATION LTD., REP. THR ITS
DEPUTY PROJECT MANAGER ASHUTOSH
PANDEY

... PETITIONER

Versus

YOGENDRANATH YADAV AND 5 ORS

... RESPONDENTS

**WITH
MISC.CIVIL APPLICATION NO.2782 OF 2026 (F)
IN**

WRIT PETITION NO.436 OF 2025

M/S. U. P. STATE BRIDGE
CORPORATION LTD., REP. THR ITS
AUTH REP ASHUTOSH PANDEY

... APPLICANT

Versus

YOGENDRANATH YADAV AND 5 ORS ALL
REPRESENTED BY GOA TRADE AND
COMMERCIAL WORKERS UNION

... RESPONDENTS

Mr Arunkumar Nigalye, Advocate for Petitioner.
Ms Sabina Martins, Advocate for Respondent No.1.

CORAM:- S. G. CHAPALGAONKAR, J.

DATED :- 22nd October, 2026

P.C.:

1. The present writ petition takes exception to award dated 22.03.2018 passed by Industrial Tribunal and Labour Court, Government of Goa, in Reference No.IT/65/92 whereby learned Industrial Tribunal held that termination of service of Respondents

with effect from 14.05.1992 is illegal and unjustified and directed the Petitioner to pay monetary compensation of Rs.2,50,000/- for each workman within a period of 60 days of publication of award, failing which the Petitioner to pay interest at the rate of 9% per annum.

2. Learned Advocate appearing for Petitioner submits that the Industrial Tribunal accepted case of Petitioner that Respondents were guilty of misconduct, however, erroneously held that termination is illegal citing provisions of Section 25-F of the Industrial Disputes Act which has no application in facts of present case as termination was on the ground of misconduct. According to him, Section 25-F would apply in case of retrenchment and not on termination of service for misconduct.

3. Per contra, learned Advocate appearing for Respondent submits that award has been passed on 22.03.2018 and present writ petition has been filed in May 2024. There is a delay of six years in filing writ petition, and on this count only, the writ petition deserves to be rejected.

4. It is the contention of Petitioner that award was passed on 22.03.2018. Petitioner had taken a decision to challenge the award. The officer namely Om Prakash Singh, Office Assistant -Grade 1 who was dealing with matters of projects at Goa got transferred from Mirzapur to Mumbai office. While handing over charge, he failed to mention Reference No.IT/65/92 and award dated 22.03.2018. His incumbent Mr Ashutosh Pandey was not aware

about the case till he received notice dated 03.03.2024 from Advocate Mr Subhas Naik Jorge.

5. This Court finds that aforesaid explanation cannot be accepted to condone or ignore delay of about six years. Petitioner is a Government undertaking having its independent legal department to deal with legal matters of court cases. Admittedly, the officer who was looking after present case in 2018, informed the head office of Petitioner company and Petitioner sanctioned proposal for filing of writ petition challenging the award. In this backdrop, if the Petitioner has not taken action till 2024, explanation to condone delay or ignore delay of six years cannot be accepted. Particularly, when Respondents workmen were waiting for benefit of award granting compensation of Rs.2,50,000/- each. This Court finds that in light of inordinate delay and laches in filing writ petition, there is no reason to invoke the extraordinary jurisdiction of this Court under Article 227 of the Constitution of India. Accordingly, Writ Petition stands rejected.

6. In light of disposal of writ petition, nothing survives in Misc. Civil Application No.2782 of 2026 (F), which stands disposed of accordingly.

S. G. CHAPALGAONKAR, J.