



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

FIRST APPEAL NO. 684 OF 2025

Sahyadri Sahakari Sakhar Karkhana Ltd., Through Its Director

VERSUS

Kantaram Dadalrao Hungrage And Anr

...

Mr. S. S. Chapalgaonkar, Advocate for Appellant

...

WITH

CIVIL APPLICATION NO. 3363 OF 2025

IN FA/684/2025

.....

CORAM : AJIT B. KADETHANKAR, J.

DATED : 12TH OCTOBER, 2026

P.C. :-

CIVIL APPLICATION NO. 3363 OF 2025

1. Feeling aggrieved by the judgment and award dated 15.01.2025 passed by learned Commissioner, Workmen Compensation, Labour Court Jalna in WC No.9 of 2023, the employer is before this Court.

2. Mr. S. S. Chapalgaonkar, learned Advocate for the applicant submits that as per the statutory mandate, the appellant has deposited the entire award amount together with interest in the Labour Court, Jalna. He further submits that on an application made by the claimants in this Court,

even 70% of the deposited amount is already withdrawn by the claimants under the orders of this Court.

3. In view of the above, Civil Application stands allowed. Execution and operation of the impugned judgment and award shall stand stayed till disposal of the First Appeal.

FIRST APPEAL NO. 684 OF 2025

. Mr. S. S. Chapalgaonkar, learned Advocate for the appellant advances two objections at this juncture. First objection is that although the deceased was not a direct employee of the appellant/Karkhana, the claimants did not array the contractor in the appeal to fix his liability, nor the learned Commissioner appreciated this aspect of the matter. The second objection is that on the date of judgment itself, the issues were re-casted, and without even offering any opportunity of hearing to the either party, the Labour Court pronounced the judgment on the same date. On these two counts, Mr. Chapalgaonkar submits that the matter is liable to be relegated back to the Labour Court.

2. Mr. Chapalgaonkar, learned Advocate further submits that the Labour Court be directed to answer on the first issue, particularly rendering the findings on the point of role of

contractor and the liability of the appellant. He submits that the parties be given an opportunity atleast of arguing on the re-casting issues in the light of evidence which is already on record. He then submits that since the interest of the claimants is at present well protected as they are allowed to withdraw substantial amount deposited by the appellant.

3. When the matter is called out, none present for respondents. Place this matter on 13.10.2026. If none appears on behalf of the other side even tomorrow as well, this Court shall be constrained to consider the arguments advanced by Mr. S. S. Chapalgaonkar, learned Advocate for the appellant, as recorded above.

(AJIT B. KADETHANKAR, J.)