

VPH

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) No. 1548 OF 2016

Tech Mahindra Limited ... Petitioners
Vs.
Union of India & Anr. ... Respondents

Mr. Darius Khambatta, Sr. Counsel a/w Ms. Naira Jejeebhoy, Roy
Panchamalia Peshwan Jehangir, Madhav Kanoria, C. Nageshwaran i/b
Khaitan & Co., for the Petitioners.

Mr. Aditya Thakkar a/w Anil Yadav, for the Respondents.

CORAM : V. M. KANADE, &
M. S. SONAK, JJ.

DATE : JUNE 13, 2016

PC.

Learned counsel appearing on behalf of the Petitioners seeks time to take instructions. By this petition, the validity of Section 1, sub-clause (2) of the Payment of Bonus (Amendment) Act, 2015 is challenged. Learned senior counsel Mr. Darius Khambatta submits that the Karnataka High Court, Allahabad High Court and other High Courts have granted stay to the retrospective application of the said Act. Since, the Act in question is a Central Act, by virtue of the stay

granted to the retrospective application, which is provided by Section 1, sub-clause (2) of the said Act, stands stayed throughout India. The Respondents to file reply within 2 weeks. In the meantime, retrospective application of the said Act is stayed, and no coercive steps shall be taken against the Petitioners for recovery of the amounts due prior to 31st March, 2016. S. O. to 27th June, 2016.

Sd/-
[M. S. SONAK, J.]

Vinayak Halemath

Sd/-
[V. M. KANADE, J.]