

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2333 OF 2014

M/S ABHAY COTEX PVT. LTD. AND OTHERS
VERSUS
ABHAY COTEX KAMGAR SANGHATANA

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Advocate for Petitioners : Shri Dankh Sachin V.
Advocate for Respondent : Shri Patil S.S.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: August 01, 2015
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PER COURT :-

1. I have heard Shri Dankh, learned Advocate for the petitioner and Shri Patil on behalf of the respondent.
2. In Complaint (ULP) No. 83 of 2013, filed by the respondent Union, transfer orders dated 30.9.2013 and 3.10.2013 issued by the petitioner management to the workers, who are members of the respondent Union, have been stayed by the impugned order dated 4.2.2014, delivered by the Industrial Court on application Exhibit U-2 in Complaint (ULP) No. 83 of 2013. Exhibit U-2 is an application filed under Section 30(2) of the MRTU & PULP Act, 1971, seeking interim relief during the pendency of the Complaint.
3. Period of almost 17 months has lapsed pursuant to the passing of the impugned interlocutory order. Learned Advocates submit that the stage before the Industrial Court in the matter has reached recording of the oral evidence. The workers, who are subjected to the orders of transfer, have presently been allowed to work at their present locations in deference to the impugned order, without prejudice to the rights and contentions of the petitioner - management in the pending Complaint.

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4. It is only on account of the above stated peculiar facts that I am not causing any interference in the impugned order. Suffice it to say, since the litigating sides have shown urgency in the matter, the Industrial Court, Dhule shall decide Complaint (ULP) No. 83 of 2013, as expeditiously as possible and preferably on/or before 29.2.2016, in the event the Complaint is not yet decided or is pending. Learned Advocates shall endeavour to extend their cooperation to the Industrial Court.

5. With the above observations, this petition is disposed off.

(RAVINDRA V. GHUGE, J.)

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