

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO.374 OF 1995

THE MULA PRAVARA ELECTRIC  
CO-OP.SOCIETY LTD.,

PETITIONER

VERSUS

RAMESH JAGNNATH MORE AND  
OTHERS

RESPONDENTS

Mr.S.D.Pokharkar, Advocate for the petitioner.

Mr.P.V.Barde h/f Mr.T.K.Prabhakaran, Advocate for respondent No.1.

Mr.V.N.Upadhye, Advocate for respondent No.2.

Respondent No.3 served.

( CORAM : RAVINDRA V. GHUGE, J.)

DATE : 31/08/2015

PER COURT :

1. This petition was admitted on 15/02/1995 and interim relief in terms of prayer clause "C" was granted by which Complaint (ULP) No.111/1992 before the Industrial Court, Ahmednagar was stayed.

2. I have heard the learned Advocates for the respective sides.

3. The respondents employees had filed a group of complaints. So also, the Union representing them had filed Complaint (ULP) No.111/1992. By the impugned order below Exh.C-10 dated 11/01/1995, the Industrial Court permitted the respondents

employees to choose as to whether they would prefer to proceed with their individual complaints or whether they would prefer to be party to the complaint filed by the Union.

4. In the light of the above, I do not find that the petitioner can be said to be aggrieved in any manner whatsoever by the said order. The Industrial Court has granted liberty to the respondents employees to choose their individual complaints or be a party to the complaint preferred by the Union and has therefore ensured that the respondents are not permitted to prosecute two complaints for an identical cause of action. The impugned order, therefore, cannot be termed as being perverse or erroneous.

5. This petition is, therefore, dismissed. Rule is discharged.

6. Considering the fact that the complaints instituted in 1992 are pending, unless already disposed off, the respondents shall forthwith make a choice of a complaint for espousing their cause and accordingly shall withdraw from the other complaints filed for the same cause within a period of 6 (six) weeks from today.

7. Thereafter, the Industrial Court shall proceed to decide the said

complaints as expeditiously as possible and preferably on or before 30/01/2016. The litigating sides are precluded from seeking adjournments on unreasonable and trivial grounds.

( RAVINDRA V. GHUGE, J.)