

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

WRIT PETITION NO.4661 OF 2014

Yashodeep Transport Company
through its Manager
Yashwant s/o Atmaram Mankumare,
Age 39 years, Occu. Service as
Manager,
R/o 202/203, Siddhi Vinayak Complex,
Jalaram wholesale market, Damodhar,
Washi, Navi Mumbai

..Petitioner

Versus

1. Akhil Bhartiya Chava Shramik
Sanghatana, 'Raigad',
Plot No.K-22, Bajrang Chowk,
N-7, CIDCO, Aurangabad
through its Secretary
2. M/s Carls Berg (I), Pvt.Ltd.,
H.17/1/1, Waluj Industrial Area,
Aurangabad
3. Sindhu Sons Corporation,
Bharat Bazar, 'D' Wing,
First Floor, API Corner,
Aurangabad
4. Megha Electricals,
C-15, MIDC, Waluj Industrial
Area, Aurangabad

.. Respondents

Mr Pradeep Shahane, Advocate for petitioner
Mr T.K. Prabhakaran, Advocate for respondent No.1

CORAM : N.W. SAMBRE, J.

DATE : 28th April 2015

PER COURT

1. Learned Counsel for the petitioner Mr Shahane would urge that the orders impugned take away the opportunity of hearing. According to him, if his client is not permitted to cross-examine the witnesses, as is refused by the orders impugned, same shall cause great prejudice to the present petitioner.

2. Mr Prabhakaran, learned Counsel for respondent No.1 would urge that the above referred approach on the part of the petitioner is nothing but to prolong the proceedings.

3. By way of last chance and in the interest of justice, the orders impugned dated 12th February 2014 and 25th March 2014 passed by the Member, Industrial Court, Aurangabad in Reference IT No.8/2009 are hereby set aside subject to payment of costs of Rs.25,000/- (Rs.Twenty five thousand), to be deposited before the Industrial Court, Aurangabad within a period of six weeks from today.

4. Upon an undertaking given by learned Counsel for the petitioner that he shall not seek adjournment in the matter, the above order of quashing of the orders dated 12th February 2014 and 25th March 2014 is passed.

5. Learned Counsel for the employees will be at liberty to withdraw the said amount from the Industrial Court, Aurangabad.

6. Writ Petition stands allowed in above terms.

(N.W. SAMBRE, J.)

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