

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.10126 OF 2015
IN
WRIT PETITION NO.3576 OF 2013

CHANDRAKANT TUKARAM SHINDE

APPLICANT

VERSUS

THE CHAIRMAN, MAHARASHTRA GRAMIN
BANK AND ANOTHER

RESPONDENTS

Mr.S.D.Joshi, Advocate for the applicant.

Mr.Ashpak Taher Patel, Advocate for respondent Nos. 1 and 2.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 21/08/2015

PER COURT :

1. The applicant, who was the original petitioner in WP No.3576/2013, which is disposed of by order dated 29/07/2015, points out from the notification dated 22/07/2015 that the under Secretary to the Government of India, Ministry of Labour and Employment has declared that the additional charge of the post of Presiding Officer, Central Government Industrial Tribunal cum Labour Court, Nagpur shall continue with the Presiding Officer C.G.I.T. cum Labour Court No.1 at Delhi till 06/10/2015 or till the appointment of a regular incumbent at Nagpur.

2. Mr.Joshi further points out that the applicant has already moved a demand notice dated 30/07/2015 to the Assistant Labour Commissioner (Central) at Chandrapur and has also furnished an application for conciliation before the said Authority. He submits that there is every likelihood that the A.C.L. Chandrapur would forward the dispute raised by the applicant to the C.G.I.T. Nagpur, which in turn, will be maintained before the C.G.I.T. Delhi. He, therefore, prays for directions to the A.C.L. Chandrapur to transmit the industrial dispute raised by the applicant to the C.G.I.T. cum Labour Court-1, Mumbai.

3. Mr.Patel, learned Advocate appearing on behalf of the non applicants has no objection for transmitting the industrial dispute raised by the applicant to the C.G.I.T. cum Labour Court-1, Mumbai.

4. In the light of the above and considering the hardships which the applicant would have to face if the matter is transmitted to C.G.I.T. Delhi, this application is allowed.

5. The applicant is permitted to forthwith submit an application to the Assistant Labour Commissioner (Central) at Chandrapur/Nagpur, requesting for referring the industrial dispute

to the C.G.I.T. cum Labour Court-1, Mumbai. After receiving the said application, the Assistant Labour Commissioner (Central), Chandrapur shall follow the due procedure laid down in Law and shall transmit the said proceedings to the competent authority. In the event the appropriate government passes an order to refer the dispute to the Tribunal, said reference would be made to the C.G.I.T. Cum Labour Court-1, Mumbai.

(RAVINDRA V. GHUGE, J.)