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

WRIT PETITION NO. 11923 OF 2014

THE PARBHANI DISTRICT CENTRAL CO-OPERATIVE BANK
LTD., PARBHANI
VERSUS
VITHAL MAROTI WAGHMARE

...
Advocate for Petitioner : Mr.Yadav Santosh R.

...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 07th July, 2015

Per Court:

1 The Petitioner is aggrieved by the order dated 28.01.2013 passed by the Industrial Court on an application below Exhibit U/2 filed under Section 30(2) of the MRTU & PULP Act, 1971 thereby, allowing the said application and directing the Petitioner to refrain from changing the service conditions of the Respondent/Workman and pay monthly salary till the disposal of Complaint (ULP) No.35/2012.

2 Learned Advocate for the Petitioner points out paragraph 3 of the Written Statement filed before the Industrial Court wherein it is specifically denied that the Respondent/ Workman is in the service of the Petitioner. It was categorically stated that he was appointed on daily-

wages as per the availability of work for that particular period only.

3 He further submits that on the date of passing of the impugned order, the Respondent/ Workman was not in employment. He, therefore, points out paragraph 3 of the impugned order wherein, the Industrial Court has erroneously observed that the Petitioner has admitted that the Respondent/ Workman is in it's service.

4 It is further stated that the Complaint before the Industrial Court is at the stage of cross-examination of the Petitioner.

5 I have considered the fact situation that emerges from the record. An interlocutory order dated 28.01.2013 is challenged by filing this petition on 12.09.2014. The matter is coming up before this Court today for the first time. The complaint before the Industrial Court is at the stage of cross-examination of the Petitioner which is the sole Respondent in the said complaint. In my view, ends of justice would be met by directing the Industrial Court to decide the Complaint expeditiously.

6 In the light of the above, this Writ Petition is disposed of without causing any interference in the impugned order and by directing the learned Industrial Court, Jalna to decide Complaint (ULP) No.35/2012

expeditiously.

7 The Industrial Court shall preclude the litigating sides from seeking adjournments on unreasonable or frivolous grounds.

(RAVINDRA V. GHUGE, J.)