

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 12175 OF 2015
IN WRIT PETITION NO.3576/2013

CHANDRAKANT TUKARAM SHINDE
VERSUS
THE CHAIRMAN, MAHARASHTRA GRAMIN BANK AND ANOTHER

...
Advocate for Applicants : Shri Joshi Sujeet D.
Advocate for Respondents 1 & 2 : S/Shri Shaikh Samir h/f Patel A.T.

...
CORAM : RAVINDRA V. GHUGE, J.
Dated: September 29, 2015
...

PER COURT :-

1. Heard learned Advocates for the respective parties.
2. The grievance of the applicant is that the learned Presiding Officer, CGIT-cum-Labour Court, Mumbai -1 had declined to register the Reference made to the said Court pursuant to the order passed by this Court dated 21.8.2015.
3. Learned Advocate for the respondent submits that the order passed by this Court dated 21.8.2015 contains clear directions. Hence, appropriate orders may be passed on this application.
4. The observations of this Court in paragraph Nos.3 to 5 in the order dated 21.8.2015 in Civil Application No. 10126 of 2015 read as under:-

“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.”*

5. This Court has, in the circumstances, set out in the order dated 21.8.2015 as well as the order dated 29.7.2015 passed in Writ Petition No.3576 of 2013 issued clear directions. The dispute has been rightly referred to the CGIT-cum-Labour Court, Mumbai -1 which is obliged to adjudicate upon the said reference.

6. With the above observations, this Civil Application is disposed off.

(RAVINDRA V. GHUGE, J.)

...