

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 9795 OF 2014

Vasantdada Shetkari Sah. Sakhar
Karkhana Ltd., Sangli.

... Petitioner

v/s

Mr.Vishwas Ananda Koli & anr.

... Respondents

Mr.Shakeel Ansari i/by R.M. Momin for the petitioner.

None present for the respondents.

CORAM: N.M. JAMDAR, J.

DATED : 25TH AUGUST, 2015

P.C.:

The Petitioner challenges the order passed by the Member, Industrial Court, Sangli, dated 14 August 2013 partly allowing the complaint filed by the Respondent No.1 and directing the Petitioner to pay subsistence allowance to Respondent No.1.

2 Respondent No.1 filed Complaint (ULP) No.1 of 2011 in the Industrial Court, Sangli, making a grievance that during the period of suspension he was not paid subsistence allowance. He also sought increments during the period of suspension and interest at the rate of 18% per annum. The Industrial Court found that the Certified Standing Orders applicable to be Petitioner provide for

payment of subsistence allowance. The Industrial Court found that nothing was placed on record as to why the Respondent should be deprived of the payment of subsistence allowance, neither it was proved by the Petitioner that the subsistence allowance was in fact paid. The Industrial Court, after considering the facts and circumstances, did not grant increment amount nor the interest as claimed.

3 The order passed by the Industrial Court is after considering the material on record and as the Industrial Court found that no cogent reasons were given why right of subsistence allowance should have been deprived. The learned counsel for the Petitioner has not been able to show how the impugned order is bad in law. No fault can be found with the impugned order. There is no merit in this petition. The petition is rejected.

(N. M. JAMDAR, J.)