

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

WRIT PETITION NO. 11742 OF 2015

Vishwas Anant Masurkar

... Petitioner

v/s

Vilas Rama Mule & ors.

... Respondents

Mr.N.R. Bubna for the petitioner.

Mr.A.D.Kango, A.G.P. for Resp. Nos.2 to 4.

CORAM: N.M. JAMDAR, J.

DATED : 8 DECEMBER 2015

P.C.:

The Petitioner had made a representation to the Department for transfer to Malvan since his wife and son reside there and his wife is suffering from Cancer. According to the Petitioner, in view of this, he was transferred by an order dated 29 May 2015 to Malvan. Respondent No.1 by order dated 29 May 2015 was transferred from Malvan to Chapheli, which order he challenged by filing Complaint (ULP) No.94 of 2015 in the Industrial Court, Kolhapur. In this complaint certain interim orders are passed in favour of Respondent No.1 and his transfer has been stayed. The Petitioner made an application for intervention in the said Complaint which has been allowed on 5 November 2015. The Petitioner thereafter made an application for vacating the interim order passed in favour of Respondent No.1 and/or seeking any such

direction. It is not necessary to consider his grievance for the first time in writ petition as it is always open to the Petitioner to make a suitable application to the Industrial Court where the matter is pending. If such an application is made by the Petitioner within a period of one week from today, then the Industrial Court will consider it expeditiously within a period of four weeks considering that the representation of the Petitioner is since 30 March 2015.

2. Keeping all contentions of the parties open, including the issue of jurisdiction, the writ petition is disposed of.

3. All parties to act on the authenticated copy of this order.

(N. M. JAMDAR, J.)