

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.182 OF 2015
IN
WRIT PETITION NO.2114 OF 2014

Mahanagar Telephone Nigam
Kamgar Sangh .. Applicant

IN THE MATTER OF:

Mahanagar Telephone Karmachari
Front .. Petitioner
Versus
Mahanagar Telephone Nigam Ltd. .. Respondent

WITH

NOTICE OF MOTION LOD. NO.185 OF 2015
IN
WRIT PETITION NO.2114 OF 2014

Mahanagar Telephone Nigam Ltd. & Ors. .. Applicant

IN THE MATTER OF:

Mahagar Telephone Karmachari Front .. Petitioner
Versus
Mahanagar Telephone Nigam Ltd. & Ors. .. Respondents

Mr.Ashok Shetty with Ms. Rita Joshi for petitioner
Ms. S.I.Joshi for respondent Nos. 1, 2, 11 and 14 in W.Petition and
for applicants in NMWL 185 of 2015

Mr.Rahul Oak for respondent No.4
Mr.Vijay Vaidya for respondent No.6 I W.Petition and for applicant in
NMW 182 of 2015.

CORAM : ANOOP V. MOHTA &
V.L.ACHLIYA, JJ.

DATE : 12th August 2015.

ORDER

We have heard the learned Counsel representing parties and further perused the order dated 9th May 2014 passed by this Court. It appears that both the notice of motions are taken out on the premise that this Court while passing the order of 9th May 2014, restrain the Mahanagar Telephone Nigam Ltd., from effecting transfers and postings of its employees in exercise of administrative powers. However, perusal of the order dated 9th May 2014 reflects that no such order has been passed by this Court to stay the hands of management from exercising its administrative power and more particularly to carry out exercise of transfers and postings. The subject matter of the petition is in respect of verification of the membership. Dispute has been raised that the verification cannot be made through the process of secret ballot, without consent of all the Unions. The order dated 9th May 2014 has been passed in that context only.

2] In view of this we are of the view that the notice of motion taken out are without any basis and appears to have been taken out on the basis of applicant's own presumption as regards the order dated 9th May 2014.

3] In view of this, both the notice of motion are disposed of with the observations made hereinabove with no order as to costs.

(ANOOP V. MOHTA, J.)

(V.L.ACHLIYA, J)