

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

**CONTEMPT PETITION NO. 95 OF 2016
IN
WRIT PETITION NO. 2216 OF 2015**

Ravindra Rajaram Bhairi ..PETITIONER

VERSUS

Suraj Pressing Private Ltd. ..RESPONDENT

....

Ms. H.S. Pande, Advocate for petitioner.

Mr. V.N. Upadhye, Advocate for respondent.

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 2nd MARCH, 2016

ORAL ORDER :

1. I have heard Ms. Pande, learned Counsel for the petitioner.

2. The grievance is that the direction of this Court set out in paragraph no.5 of the order dated 12.08.2015 in Writ Petition No.2216/2015 has not been complied with.

3. For the sake of clarity, paragraph no.5 relied upon by the petitioner is reproduced as under:

“5. Suffice it to say, the petitioner is at liberty to report for duties. The Labour Court is at liberty to decide Criminal (ULP) No. 27/2013 on its own merits. So also, the Labour Court shall decide Complaint (ULP) No. 21/2013 as expeditiously as possible and preferably on or before 30.01.2016. The Labour Court shall take into account the effect of its interim order below Exh. U-2 and the unpaid wages during the operation of the said order, while deciding the main complaint.”

4. The learned Counsel for the petitioner has strenuously submitted that the first line of paragraph no.5 in the order of this Court is a direction and the respondent-management is under an obligation to comply with the said direction.

5. I find from paragraph no.5 reproduced as above that this Court had not issued any direction that the petitioner should be reinstated in service. Considering the pendency of Criminal ULP No. 27/2013 under Section 48(1) read with Sections 55 and 39 of the

M.R.T.U. & P.U.L.P. Act, 1971, this Court had permitted the petitioner to proceed with the Criminal complaint. Similarly, Complaint ULP No. 21/2013, in which the petitioner was granted interim relief of reinstatement, was also to be decided within a time frame.

6. In the light of the above, I do not find that this Court has issued any specific directions to the respondent. In that view of the matter, there is no disobedience committed by the respondent of any order passed by this Court.

7. In the light of the above, this petition is dismissed.

(RAVINDRA V. GHUGE, J.)