

BDPPS

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

WRIT PETITION NO.513 OF 2016

Gangaprasad K. Yadav

..... Petitioner.

V/s

Mr. A.L. Doke & Others

..... Respondents.

Mr. Vansh Bahadur Sabhajeet Yadav for the Petitioner.

Mr. Vishal Thadani, AGP for Respondent/State.

**CORAM: V. M. KANADE &
MS. NUTAN D. SARDESSAI, JJ.**

DATE: 21st November, 2016

P.C.:-

1. Heard the learned Counsel for the Petitioner and the learned Counsel for the State.
2. Petitioner is aggrieved by the consent certificate granted by the Deputy Registrar of Trade Union on application filed by Respondent No.2. By the said certificate, he has stated that he is satisfied that the dispute exists regarding Membership of the Union, Office Bearer and Office Property of the MTNL Executives Association.
3. In our view, Deputy Registrar has been authorized to grant consent certificate if, in his opinion, there is dispute between the

parties.

4. The learned Counsel for the Petitioner submits that very same Deputy Registrar had passed the order directing all parties to co-operate with each other in the election which was to be held on completion of the term of the Managing Committee. It is submitted that Respondent No.2 is no longer a member of the Committee and therefore question of granting consent certificate did not arise.

5. It is not possible to accept the said submission. It is always open for the Petitioner to raise all these grounds before the Industrial Court, Maharashtra, Mumbai. We are therefore not inclined to interfere with the order of grant of consent certificate by the Deputy Registrar. Petition is accordingly disposed of. All contentions raised by the Petitioner in this Petition are kept open.

(MS. NUTAN D. SARDESSAI, J.)

(V.M. KANADE, J.)