

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

WRIT PETITION NO.1514 OF 2016

1. Adhikshak Abhiyanta,
Krishna-Koyana, Ursa Sinchan
Prakalp Mandal, Wairnali, Sangli
2. Karyakari Abhiyanta,
Mhaishal Pump Griha,
Vibhag-1, Wairnali, Sangli.
- 3 Sahayyak Abhiyanta (Grade-I),
Mhaishal Pump Griha,
Up Vibhag No.5, A.P. Khandarajuri,
Taluka Miraj, District. Sangli .. Petitioners.

Versus

Shri Kutbuddin Abdul Choudhari .. Respondent

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Mr. Vijay D. Patil for the Petitioners.

Mr. R.S. Apte, Senior Counsel a/w Mr. P.D. Pise for the Respondent.

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CORAM : S.C.GUPTE, J.

DATE : 22 JUNE 2016.

P.C. :

. The Petition challenges an order passed by the Industrial Court At Sangli, dated 21 November 2015. By the impugned order, the revision filed by the Petitioner was dismissed. The revision was filed against the interim order passed by the Labour Court at Sangli on a Complaint (ULP) No.18 of 2015 filed by the Respondent-employee challenging the Petitioners' refusal to allow him to remain present on work. By the interim order, the Labour

Court directed the Petitioner to allow the Respondent-employee to attend the work. This order is challenged by the Petitioner. During pendency of the Petition, the Respondent-employee is superannuated and as such the question of allowing him to join the service or work, cannot be considered. The Labour Court at Sangli, before whom complaint under M.R.T.U. & P.U.L.P. Act, 1971 is pending, will have to consider the other reliefs including terminal benefits to the Respondent-employee. Considering the age of the Respondent-employee and other circumstances, the hearing of complaint before the Labour Court at Sangli, may have to be expedited. This Petition is accordingly disposed of by directing the Labour Court at Sangli to dispose Complaint (ULP) No.18 of 2015 filed by the Respondent as expeditiously as possible and, in any event, within three months from today.

2 Learned Counsel for the Respondent-employee states that the Respondent-employee, in the peculiar facts and circumstances of the case, shall not press his petition for contempt against the Petitioner herein filed before the Labour Court at Sangli. The statement is accepted.

3 It is clarified that whilst passing this order, this Court has not considered the merits of the matter before it. All rights and contentions of the parties on merit are kept open, to be decided by the Labour Court at Sangli in the pending complaint. Petition is disposed of accordingly.

(S.C.GUPTE, J.)