

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO.11975 OF 2015**

Mahatma Phule Krishi Vidyapeeth,
Rahuri, Through Registrar And Anr.

...Petitioners

vs

Sarva Shramik Sanghatana, Pune

...Respondent

WRIT PETITION NO.12307 OF 2015

.....

Mrs. Neeta Karnik, in both the petitions.

Mr. Nitin Arvind Kulkarni, for Respondent No.1 in both the petitions.

.....

CORAM : S.C. GUPTE, J.

DATED: JULY 18, 2016

P.C. :

. The petition challenges an order passed by the Industrial Court at Pune on a complaint relating to Item 9 of Schedule IV of the MRTU & PULP Act filed by the Respondent Union. The impugned order partly allows the complaint and grants “the concerned employees” earned/paid leaves as per award “as stated herein above”. The award grants these reliefs on the footing of charts produced by the Respondent, which indicate that “many of the concerned employees” had worked for 240 days and in fact more, and that too, during two consecutive years. The award further states that “such employees” were entitled to be granted earned leave but were not so granted earned leave. The order is decidedly vague and cannot possibly be

implemented. In the premises, the impugned order dated 14 August 2013 is quashed and set aside and the matter is remanded to Industrial Court at Pune for a fresh consideration on merits in accordance with law. The Industrial Court shall hear the parties and dispose of the complaint as expeditiously as possible and shall endeavour to dispose of the same within a period of six months from today.

2. In case the Industrial Court hearing the complaint is not sitting due to vacancy or otherwise, the Administrative Court shall assign the matter to itself and decide the complaint in accordance with this order.

(S.C. GUPTE, J.)