

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.13797 OF 2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Chetan Alai for the petitioner

CORAM : K. K. TATED, J.
DATE : DECEMBER 15, 2016

P.C.:

1 Not on board. At the request of Advocate for the petitioner, matter is taken on board for urgent orders.

2 Heard the learned counsel for the petitioner.

3 By this Petition under Article 227 of Constitution of India, the petitioner original applicant challenges the order dated 23.8.2016 passed by President, Industrial Court, Maharashtra, Mumbai in Transfer Application (IT) No.16 of 2016 in Reference (IT) No.24 of 2009 rejecting petitioner's application for transferring the reference in the court of Shri D.H. Deshmukh, Member, Industrial Court, Pune who has been recently transferred from Pune to Ahmednagar.

4 It is the contention of the learned Counsel for the petitioner that they substantially argued

the matter before Shri D.H.Deshmukh, Member, Industrial Court, Pune. He submits that after arguing both the sides at length before passing final order, the concerned Judge was transferred from Pune to Latur and from Latur to Ahmednagar.

5 The petitioner filed application for transfer with the consent of the other side for transferring the Reference to the court of Shri D.H. Deshmukh who is at present at Ahmednagar.

6 The learned Counsel for the petitioner relies on the judgment of this court in the matter of *Hindustan Lever Research Centre Employees' Union vs. Hindustan Lever Ltd. And Ors., 2008 (2) BCR 831*.

7 It is to be noted that if the judicial officer is transferred, there is no question of transferring the matter also along with him in another court. In any case, matter can be assigned to another judicial officer for hearing.

8 Considering these facts and the impugned order passed by President, Industrial Court, Maharashtra, Mumbai dated 23.8.2016, I do not find any reason to entertain the present Writ Petition.

9 Hence, Writ Petition stands rejected.

JUDGE