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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.243 OF 2016

M/s. Bhaveshwar Fashion World Pvt. Ltd. & Ors. ...Petitioners
vs
Akhil Bharatiya General Kamgar Union ...Respondent

.....
Mr. P.M. Palshikar, i/b. Mr. Mahesh Shukla, for the Petitioners.

Ms. Rita Joshi, a/w. Mr. Swapnil Kamble, for the Respondent.

.....
CORAM : S.C. GUPTE, J.

DATED: AUGUST 2, 2016

P.C. :

. After the matter was heard at some length, it is agreed between the parties on both sides that the impugned order dated 8 December 2015 may be quashed and set aside and the matter be remanded to the Industrial Court for a fresh hearing in accordance with law.

2. The Industrial Court is directed to consider, firstly, the issue of jurisdiction of that Court to go into the complaint in the light of the fact that the relationship of employer and employee between the first Respondent Company and 50 workmen, who are listed in **Annexure "A"** to the complaint, is itself in dispute. In the event, the Industrial Court finds the issue of jurisdiction in favour of the complainant, only then will the Industrial Court consider the question of grant of interim relief.

3. The petition is disposed of accordingly.
4. All rights and contentions of the parties on merits are kept expressly open.

(S.C. GUPTE, J.)