

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE**

WRIT PETITION NO.1763 OF 2016

The Indian Hotel Company Employees'
Union, Taj Mahal Hotel ... Petitioner
Versus
The Indian Hotel Company Ltd. And Others ... Respondents

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Mr. S.C. Naidu a/w Mr. T.R. Yadav, Mr. Aniketh Poojari i/b Mr. T.R. Yadav
for the Petitioner.

Mr. K.M. Naik, Senior Advocate a/w Mr. Avinash K. Jalisatgi for Respondent
Nos.1 to 3.

Mr. J.P. Cama, Senior Advocate a/w Mr. R.S. Pai, Mr. Anand Pai and Mr.
Anshuman Sugla i/b M/s Sanjay Udeshi & Co., for Respondent No.4 to 10.

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CORAM : S.C.GUPTE, J.

DATE : 1 AUGUST 2016.

P.C. :

. Heard learned Counsel for the parties.

2 This Petition challenges an order passed by the Industrial Court at Mumbai, in a complaint of unfair labour practice by the Petitioner-Union. The dispute between the parties in the present Petition concerns, primarily, the locus of the then General Secretary of the Union and his team to file the present complaint. The Industrial Court has held that the then General Secretary and his team had no locus to file the present complaint.

3 Mr. Cama, learned Counsel for Respondent Nos.4 to 10, who are the present office bearers of the Petitioner-Union, states that in any event, his client proposes to hold fresh elections to the posts of office bearers of the Petitioner-Union before the end of two months from today. In view of this

statement, which is accepted by the Court, Mr. Naidu, learned Counsel for the Petitioner-Union, does not press this Petition. The Petition is accordingly disposed of in terms of the following order.

: O R D E R :

- (i) The elections of the office bearers of the Petitioner-Union shall be held on or before 30 September 2016;
- (ii) The elections will be held under the supervision of an officer of this Court to be appointed within 15 days from today by the Prothonotary & Senior Master;
- (iii) The Petition is disposed of accordingly;
- (iv) Liberty to the parties in case of any difficulty.

(S.C.GUPTE, J.)