

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 78 OF 2015

Free Trade Unions Multipurpose .. Petitioner
Vs.
State of Maharashtra and ors. .. Respondents

Mr.Arshad Shaikh i/b Mr.Gautam Yadav, for the Petitioner.
Mr.Kaushal Trivedi, AGP for Respondents No. 1 & 2 – State.
Mr.K.R. Mehta – Respondent No.3 in person.

**CORAM : SHANTANU.S.KEMKAR &
M.S.KARNIK, JJ.
DATE : 23rd SEPTEMBER, 2016**

P.C. :

. Parties through their Counsel.

2. Having gone through the impugned order, we find that respondent No.2 has not passed any order which at this stage can be said to be prejudicial to the interest of the petitioner. However, we left all contentions open which have been raised in this Petition in regard to the authority and jurisdiction of respondent No.2 and also grievance in regard to the impugned order to the effect observing that the application which will be submitted in format will be treated “as part of

Exhibit -1” as according to the learned Counsel for the petitioner in the earlier enquiry, the petitioner was exonerated from all the charges levelled by the complainant against the petitioner's jurisdiction and as such, the matter can not be reopened at the instance of respondent No.3. Respondent No.3 who is present in-person has disputed the contentions made by the petitioner.

3. Be that as it may, we are of the view that at this stage, no interference in the matter is called for. However, as observed above, all the contentions are left open to be raised by the petitioner and respondent No.3 at the appropriate stage before 2nd respondent – authority. Needless to say that 2nd respondent-authority is expected to proceed in the matter in accordance with law.

4. With the aforesaid, Petition stands disposed of.

(M.S.KARNIK, J.)

(SHANTANU.S.KEMKAR, J.)