

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.2981 OF 2016

THE ORDNANCE FACTORY BHANDARA KARMACHARI SAHAKARI PAT
SANSTHA LTD. THR. PRESIDENT, VINOD G. MESHRAM

..VS..

RAVISHANKAR S/O LAXMAN VAIDYA AND ANOTHER

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
.....

Court's or Judge's Order

Shri V.B. Gawali, counsel for the petitioner.
Shri R.A. Gupte, counsel for respondent No.1.

CORAM : R.K. DESHPANDE, J.

DATED : OCTOBER 25, 2016.

Heard learned counsel Shri V.B. Gawali for
the petitioner and learned counsel Shri R.A. Gupte for
respondent No.1.

This writ petition challenges order below
Exh.U-2 in Complaint (ULP) N.11 of 2016 dated
12.5.2016 passed by learned Judge, Labour Court,
Bhandara granting *interim* relief directing the
petitioner to reinstate respondent No.1 in service
pending decision of the main complaint. The petition
also challenges judgment and order dated 9.3.2016
passed by learned Member, Industrial Court, Bhandara
in Complaint (ULP) No.46 of 2014 directing
regularization of services of the complainant on
compassionate ground.

It is not possible to entertain composite

petition challenging order passed by learned Member, Industrial Court, Bhandara in complaint under Item 9 of Scheduled - IV of the Maharashtra Recognition of Trade Unions & Prevention of Unfair Labour Practices Act, 1971 (for short, "*the said Act*") and the order passed by learned Judge, Labour Court, Bhandara in complaint under Item 1 of Schedule - IV of the said Act. This petition is, therefore, treated as one challenging order dated 12.5.2016 passed in Complaint (ULP) No.11 of 2016 by the Labour Court.

Respondent No.1 is directed to be reinstated in service by way of an *interim* relief pending decision of the main complaint. The Court has observed that the complainant has been working on the post from 20.12.2012 on compassionate ground. The question of violation of Sections 25F and 25G of the Industrial Disputes Act, 1947 is required to be considered in complaint.

No interference is called for in the order impugned in the writ petition. The writ petition is dismissed.

The petitioner is at liberty to file separate writ petition challenging judgment and order dated 9.3.2016 passed by learned Member, Industrial Court, Bhandara.

JUDGE

!! BRW !!

C E R T I F I C A T E

I certify that this Order/Judgment uploaded is a true and correct copy of original signed Order.

Uploaded by : Bhushan R.Wankhede.
(Personal Assistant)

Uploaded on :- 27/10/2016