

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

WRIT PETITION NO.4318/2016

Ashok s/o Suryabhan Urkude
..VS..

Maharashtra State Road Transport Corporation, through its Divisional Traffic
Superintendent, Tukumb Road, Chandrapur and another

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.
DATED : 29.7.2016.

Heard Shri C.V. Jagdale, Advocate for the petitioner - employee and Shri V.G. Wankhede, Advocate for the respondents.

The petitioner has filed complaint before the Labour Court under Section 7 read with Section 28 and Item 1 of Schedule IV of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 (for short "Act of 1971"). In this complaint, the petitioner filed an application under Section 30(2) of the Act of 1971 praying for interim relief. The Labour Court granted an *ad-interim* order in favour of the petitioner and confirmed it by the order dated 29th August, 2015 and restrained the employer from dismissing the employee from service pursuant to the show cause notice which is challenged in the complaint. The employer being aggrieved by the above order filed revision before the Industrial Court. By the impugned order, the revision application is allowed and the interim order granted in favour the employee is set aside. The

Industrial Court, however, protected the employee till today to approach this Court for appropriate interim orders.

Considering the fact that the petitioner - employee continues in service, without delving into the merits of the matter, the following order is passed to sub-serve the ends of justice:

(i) The Labour Court is directed to dispose the complaint filed by the petitioner till 20th January, 2017.

(ii) The protection granted to the employee by this order shall operate till 20th January, 2017.

(iii) The employer shall not act on the notice challenged by the employee before the Labour Court till 20th January, 2017.

(iv) If the Labour Court is not able to dispose the complaint till 20th January, 2017 because of non-co-operation of the employee, the Labour Court will be at liberty to pass appropriate interim orders after 20th January, 2017.

(v) The petition is **disposed** in the above terms.

In the circumstances, the parties to bear their own costs.

JUDGE

CERTIFICATE

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

Uploaded By : N.V. Tambaskar.
Personal Assistant.

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