

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

WRIT PETITION NO. 5408 OF 2015

Mohan Bhaurao Devkate Vs. Chief Conservator of Forest Yavatmal
WITH

WRIT PETITION NO. 5405 OF 2015

Vishnu Ashruji Jatale Vs. Chief Conservator of Forest Yavatmal
WITH

WRIT PETITION NO. 5406 OF 2015

Janardhan Dina Jadhav Vs. Chief Conservator of Forest Yavatmal
WITH

WRIT PETITION NO. 5407 OF 2015

Dnyaneshwar Chandrabhan Bunde Vs. Chief Conservator of Forest Yavatmal

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

Court's or Judge's Order

Shri S. Pathak Adv for petitioner.
Shri K. L. Dharmadhikari AGP for respondent.

CORAM: A. S. CHANDURKAR J.

DATED: 4th JULY, 2016.

Since identical issues arise in these writ petitions they are being
decided by this common order.

The petitioner in each writ petition is employed with Forest
Department. The services of each petitioner came to be transferred and being
aggrieved each petitioner filed separate complaints under the provisions of
Section 28 of the Maharashtra Recognition of Trade Unions and Prevention of
Unfair Labour Practices Act, 1971. In these complaints a prayer for interim
relief was made but the Industrial Court refused to grant the said relief. Being

aggrieved the petitioners have approached this Court.

Shri S. Pathak, the learned counsel for the petitioner submits that each of the petitioner has joined his respective place of posting. He submits that there is some dispute in the matter of receiving salary after passing of the order of transfer. He submits that in this situation if the proceedings before the Industrial Court are expedited the same would serve the ends of justice.

Shri K. L. Dharmadhikari, the learned Assistant Government Pleader for the respondent does not dispute that each of the petitioner has joined at the place of posting. In these facts when Industrial Court refused to grant any interim relief and the petitioner has now joined the place of posting, the writ petitions can be disposed of by directing the Industrial Court to expeditiously decide the complaints filed by the petitioners. Accordingly the Industrial Court shall decide the complaints filed by each petitioner expeditiously and within a period of six months from today. It would be open for the complainants to make a grievance with regard to non-payment of salary for the period after passing of the transfer order. The points raised in the writ petition are kept open. The writ petitions are disposed of in aforesaid terms with no order as to costs.

JUDGE

svk