

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

WRIT PETITION NO. 5404 OF 2015

Anisbin Idris Chous, Murizapur, Post Umari, Tal. & dist. Akola
Vs.
Chief Conservator of Forest Yavatmal

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

Court's or Judge's Order

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

CORAM: A. S. CHANDURKAR J.

DATED: 07th JULY, 2016.

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

Shri S. Pathak, the learned counsel for the petitioner submits that the petitioner has joined his 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 the petitioner has joined at the place of posting. In these facts when the Industrial Court refused to grant any interim relief and the petitioner has now joined the place of posting, the writ petition can be disposed of by directing the Industrial Court to expeditiously decide the complaint filed by the petitioner. Accordingly the Industrial Court shall decide the complaint filed by the petitioner expeditiously and within a period of six months from today. It would be open for the complainant 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 petition is disposed of in aforesaid terms with no order as to costs.

JUDGE