

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.4358 OF 2017

Ganesh Dipak Nikam	...Petitioner
Versus	
The President, Nasik Jilha Maratha	...Respondents
Vidya Prasarak Samaj Sahakar Society	
Lt.	

**WITH
WRIT PETITION (ST) NO.4183 OF 2017**

Vikram Somnath Kare	...Appellant
Versus	
The President, Nasik Jilha Maratha	...Respondents
Vidya Prasarak Samaj Sahakar Society	
Lt.	

**WITH
WRIT PETITION NO.4364 OF 2017**

Vikas Devidas Jadhav.	...Petitioner
Versus	
The President, Nasik Jilha Maratha	...Respondents
Vidya Prasarak Samaj Sahakar Society	
Lt.	

.....

Mr.Amol R.Patil for the Petitioners
Mr.Yogendra Pendse for the Respondent Nos.1 to 3

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED:13th JUNE, 2017.

P.C.:-

1. The Petitioners were dismissed from services. The Petitioners filed complaints alleging unfair labour practices. The Petitioner filed application for interim relief. By order dated 18/07/2016, the

learned Labour Court, Nashik directed the Respondent to reinstate the Petitioners or to pay 50% wages. The Petitioner as well as the Respondents challenged the said order before the Industrial Court Nashik. The learned member of the Industrial Court, by the impugned order dated 3/01/2017, set aside the order dated 18/07/2016 and directed the Labour Court to decide the interim application as early as possible. Aggrieved by the said order, the Petitioners have invoked the writ jurisdiction of this Court.

2. The learned Counsel for the Petitioners submits that the Petitioners are out of service since 2015. The learned Counsel for the Petitioner under instructions stated that the Petitioners are not interested in pursuing the application for interim relief. He has urged that Directions be given to the Labour Court to decide the application on merits as expeditiously as possible.

3. The learned Counsel for the Respondent has no objection for disposing of the complaints on merits.

4. Considering that the Petitioners are out of employment, it would be in the interest of the Petitioners to dispose of the ULP complaints expeditiously.

5. Hence, with consent, the impugned order of the Labour Court and Industrial Court are set aside. The Labour Court is directed to decide and dispose of the ULP complaints on merits as expeditiously as possible, preferably within a period of 6 months from the date of the receipt of this order. The Writ Petitions stand disposed of accordingly.

6. It is made clear that this Court has not considered merits or demerits of the case. The parties to appear before the Labour Court on 27th June, 2017 at 11.00 a.m. All concerned to act on an authenticated copy of this order.

(ANUJA PRABHUDESSAI, J.)