

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION
WRIT PETITION NO. 10606 OF 2017

The Chief Executive Officer, Zilla Parishad, Kolhapur ... Petitioner

Versus

Smt. Sujata Sanjay Gaikwad ... Respondent

Mr. S.R. Nargolkar for the Petitioner.
None for the Respondent.

CORAM : S.J. KATHAWALLA, J.
DATED : 9th NOVEMBER, 2017

P.C.:

The Complainant (Respondent herein) filed Complaint (ULP) No. 131 of 2013 before the Member, Industrial Court at Kolhapur under Section 28(1) of the M.R.T.U. and P.U.L.P. Act, 1971 alleging that the Respondent (Petitioner herein) have engaged in unfair labour practice under Items 5, 9 and 10 of Schedule IV to the M.R.T.U. and P.U.L.P. Act, 1971. In the said complaint, the complainant/ Respondent filed an application seeking interim reliefs under Section 30(2) of the said Act. The said application seeking interim reliefs was disposed off by an order dated 6th November, 2014 by the Industrial Court, Kolhapur whereby the ad-interim order dated 17th July, 2013 directing the Respondent to allow the Complainant to work on her original post, was confirmed. By the above Writ Petition (filed on 15th April, 2015), the Petitioner / employer impugned the said order dated 6th November, 2014. Since objections were

not removed, the above Writ Petition was dismissed on 21st January, 2016 and restored on 9th August, 2017. In the meantime, the final hearing of the complaint has commenced and cross-examination of the complainant is in progress. In view thereof, the question of interfering with the interim order dated 6th November, 2014 by which the ad-interim order dated 17th July, 2013 was confirmed, does not arise. However, the Industrial Court, Kolhapur is directed to complete the hearing of the complaint within a period of twelve weeks from today and pass appropriate orders. The Industrial Court, Kolhapur shall not grant adjournment/s to the parties unless absolutely necessary. The above Writ Petition is accordingly disposed off.

(S.J.KATHAWALLA, J.)