

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 11549 OF 2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr MS Topkar, for the Petitioner.

Mr Sagar Mane, for the Respondent No.1.

CORAM : K. K. TATED, J.

DATED : 11/04/2017

PC.:

- . Heard learned Counsel for the parties.
2. By this Petition under Articles 226 and 227 of the Constitution of India, the Petitioner has challenged the interim order dated 2nd May 2015 passed by the Industrial Court No.2, Kolhapur below Exhibit U-2 in Complaint (ULP) No. 56 of 2013 rejecting Petitioner's application under Section 30(2) of the MRTU and PULP Act, 1971 restraining the Respondent Corporation from removing 102 employees from Subhash Stores and to adjust them to the other vacant posts.
3. The Respondent corporation filed pursis at Exhibit C-12 in interim application preferred by Petitioner stating that they are not going to retrench any of its employees working in Subhash Stores i.e.

vehicle maintenance department.

4. Considering the pursis filed by the Corporation at Exhibit C-12 in application below Exhibit U-2 in Complaint (ULP) No.56 of 2013 and in Petition challenging impugned order, I do not find any reason to interfere with the order passed by the Industrial Court, at Kolhapur under Articles 226 and 227 of the Constitution of India.

5. Considering the facts that a main complaint is pending for hearing on its own merits since 2013, same is required to be expedited.

6. Hence Writ Petition is required to be dismissed.

7. Hence the following order:-

(a) Writ Petition dismissed.

(b) The hearing of complaint (ULP) No. 56 of 2013 pending before the Industrial Court, Maharashtra at Kolhapur is expedited.

(c) The Industrial Court to proceed with the matter without being influenced by the order passed by this Court.

(K.K.TATED, J.)