

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6728 OF 2014

Mr. Narayan Chandrakant Karale ... Petitioner

Versus

M/s. Liberty Oil Mills Ltd. & Ors. ... Respondents

Mr. A.K.Jalisatgi a/w. Mr.C.M. Lokesh for the Petitioner.

Mr. K.S. Bapat a/w. Mr.T.R. Yadav i/b. Mr. Avinash Fatangare for Respondent Nos. 1 and 2.

CORAM : S.J. KATHAWALLA, J.
DATED : 22ND NOVEMBER, 2017

P.C.:

1. Heard the learned Advocates appearing for the parties and the following order is passed by consent :

i. The Order passed by the First Labour Court, Thane in Complaint (ULP) No. 26 of 1999 dated 23th September, 2011 as well as the Order passed by the Industrial Court, Thane in Revision Application (ULP) No. 91 of 2011 dated 18th November, 2013 respectively are set aside.

ii. Complaint (ULP) No. 26 of 1999 is restored to file by the First Labour Court, Thane.

iii. The First Labour Court, Thane shall frame the following issue :

a. Whether the Complainant proves that the Respondent has committed unfair labour practice within the meaning of Item Nos. 1(a),

(b),(d), (f) and (g) of Schedule IV of the MRTU and PULP Act ?

b. What Order ?

iii. The First Labour Court shall decide the above issue in Complaint (ULP) No. 26 of 1999 and dispose off the same within a period of 12 weeks from the date of this Order

iv. Parties and / or their Advocates shall appear before the First Labour Court, Thane on 27th November, 2017 at 11.00 a.m. and after producing a copy of this order obtain necessary directions.

v. The First Labour Court, Thane shall not grant any adjournment to the parties and / or their Advocates unless absolutely necessary.

vi. The liberty granted by the Industrial Court, Thane to the Petitioner by its Order dated 25th March, 2010 passed in Revision Application (ULP) No. 74 of 2008, shall continue to be in force.

vii. All contentions of the parties are kept open.

vii. The above Writ Petition is accordingly disposed off.

(S.J.KATHAWALLA, J.)