

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.901 OF 2015

K.V.J. Rao ...Petitioner
vs.
All India Ltd. and Others ...Respondents

Mr. A.D. Shetty, for the Petitioner
Mr. S.K. Talsania, Senior Advocate a/w. Mr. Arsh Misra and Ms.
Kavita Anchan i/b. M.V. Kini & Co., for Respondent Nos. 1 to 4.
Ms. Nisha V. i/b. Mr. S. Kumar, for Respondent No. 5.

**CORAM : SHANTANU S. KEMKAR &
M. S. SONAK, JJ.**

DATE : JULY 10, 2017

P.C.:

. In view of the certificate dated 30th May, 2017 issued by
the Conciliation Officer and the Assistant Labour Commissioner
(C)-I, Mumbai, recording following:

“However, the disputant workman vide his application dated 30/05/2017 insisted for issue of certificate by this office by concluding the conciliation proceedings to take up his dispute for adjudication before the CGIT, Mumbai directly under the provisions of sub-section (2) and (3) of Section 2A of the Industrial Disputes Act, 1947 as the mandatory period of 45 days after filing his dispute before the Conciliation Officer has been completed and is within the purview of sub-section 3 of Section 2A of the said Act.

This certificate is, therefore, issued to the disputant exclusively for the purpose of enabling him to approach the Central Government Industrial Tribunal cum Labour Court for adjudication of the said dispute. The disputant is advised to file his dispute before the concerned CGIT-cum-Labour Court-II, Mumbai.

in our considered view since the Petitioner has invoked the provisions of Industrial Disputes Act, 1947 and he has been granted the certificate as applied by him to file dispute before the concerned Central Government Industrial Tribunal cum Labour Court, Mumbai, we dispose of this Petition with liberty to the Petitioner to avail the said remedy for which the Petitioner himself had applied.

2. All contentions are kept open.
3. In case the Petitioner approaches the CGIT as aforesaid, it is expected from the CGIT that the Petitioner's matter be decided as expeditiously as possible.
4. With the aforesaid, the Petition is disposed of.

(M. S. SONAK, J.)

(SHANTANU S. KEMKAR, J.)