

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.

CIVIL APPLICATION (CAW) NO.2890 OF 2017

IN

WRIT PETITION NO.7942 OF 2017

(Koyla Shramik Sabha and another ..vs.. Kisan s/o Late Mangal Ghubde and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.M. Sudame, Advocate for the petitioners,
Shri A.M. Ghare, Advocate for respondents 8 and 9,
Shri D.S. Thakur, Advocate for the intervenors.

CORAM : ROHIT B. DEO, J.

DATED : 15-12-2017

The applicants are seeking to intervene on the premise that they are entitled to represent koyla Shramik Sabha as validly elected office bearers.

2. Koyla Shramik Sabha is respondent 4 in the petition.

3. Without making any observation muchless adjudication as regards the entitlement of the applicants 1 to 6 to represent Koyla Shramik Sabha or their status as the elected office bearers, the applicants/intervenors are permitted to intervene in their individual capacity.

4. The application is allowed accordingly.

Civil Application No.2889/2017.

The applicants, who have been permitted to intervene in their individual capacity are praying that the *ad interim* order dated 14-12-2017 be vacated or suitably

modified.

2. By the *ad interim* order dated 14-12-2017, respondents 8 and 9 have been directed not to accept the receipts evidencing membership from either faction of respondent 4-Union.

3. The petition is to come up for hearing on 21-12-2017.

4. I do not see any compelling reason to either vacate or modify the interim order. The apprehension expressed by the learned Counsel Shri Thakur that if the membership receipts are not submitted on or before 16-12-2017, the Union will lose membership or that the status of the members shall be in jeopardy, is unfounded.

5. Neither the status of the Union nor the status of the members of the Union is dependent on the submission of the receipts. It is apparent that the submission of receipts is only a part of implementing of the check off system.

6. In any event, the situation is not likely to be irreversible and if necessary appropriate orders shall be passed after hearing the parties, if at all any party suffers any prejudice due to non-submission of the membership receipts to respondent 8 and 9.

JUDGE