

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.9878 OF 2017

The Commissioner,

Kolhapur Municipal Corporation.

.. Petitioner

Vs.

Mahanagarpalika Karamchari Sangh

Kolhapur

.. Respondent

Mr. Sagar A. Mane for the petitioner.

Mr.Meelan Topkar for the respondent.

CORAM : A.K. MENON, J.

DATED : 20TH FEBRUARY, 2018.

P.C. :

1. By this writ petition, the petitioner seeks to challenge an order dated 4th August, 2017 on Exhibit U-2 in Complaint (ULP)No.179 of 2017 in which the following reliefs were sought:-

“(a) The inquiry be made.

(b) It be declared that the respondent has engaged in and indulged in unfair labour practice as detailed in Schedule IV items 9 and 10 of the MRTU & PULP Act, 1971.

(c) The respondent be directed to cease and desist from committing unfair labour practice.

(d) The respondent be directed to supply the uniforms and the

articles as per the settlement dated 07.04.1986 on the due dates.

(e) The proposals of deposit of amounts of uniform and article to the eligible employees be quashed and set aside.

(f) The interim and ad-interim injunction be granted.

(g) Any other ancillary relief to which the complainant deems fit be also granted."

2. By the impugned order, all that has been done is that the respondent Municipal Corporation was restrained from paying amounts in respect of the uniforms and other articles of the eligible employees. Paragraph 16 (iii) and (iv) of the impugned order reads as follows:-

"16(iii) The matter will be taken up for final hearing and decision in a time-bound period of six months from today.

(iv) Both the parties to cooperate for final hearing and disposal of the main complaint within the time-bound period."

3. In view of the fact that the order impugned in this writ petition itself contemplates disposal of the complaint finally in a time bound manner as provided therein, the filing of the writ petition appears to have delayed progress in the matter. In the circumstances, the impugned order does not call for interference in the writ jurisdiction of this Court. Therefore, I pass the following order:-

(i) Writ petition is dismissed.

(ii) No orders as to costs.

(iii) All contentions are kept open. The complaint will be decided uninfluenced by the dismissal of the petition.

(A.K. MENON,J.)

wadhwa