

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

WRIT PETITION NO. 2116 OF 2013

Maharashtra Veej Kantrati Kamgar Sangh	...Petitioner
Vs.	
Maharashtra State Electricity Distribution Co.Ltd. & & Ors.	...Respondents

WITH
WRIT PETITION NO. 2147 OF 2013

Somnath Hambirrao Godse & Anr.	...Petitioners
Vs.	
Maharashtra State Electricity Distribution Co.Ltd. & & Ors.	...Respondents

WITH
WRIT PETITION NO. 2325 OF 2013

Maharashtra Rashtravadi Vij Kamdar Mazdoor Congress	...Petitioner
Vs.	
Maharashtra State Electricity Distribution Co.Ltd. & & Ors.	...Respondents

Mr.Vijay P. Vaidya for Petitioner in WP 2116/2013.
Ms.Leena Patil for Petitioners in WP 2147/2013.
Mr.Suresh S. Pakale I/b. Avinash Belge for Petitioner in WP 2325/2013.
Mr.M.M. Naik, Senior Advocate with Prashant Chavan, Anuj Jaiswal I/b.
Little & Co. for Respondent No.1.

CORAM : S.C. GUPTE, J.

DATE : 2 AUGUST 2018

P.C. :

These petitions challenge an order passed on three applications for interim relief (Exhibits U-7, UA-7 and UB-4) filed by the

second party workmen. The applications were rejected by the Industrial Tribunal at Thane. That order is in challenge in the present petition.

2 Mr.Naik, learned Senior Counsel appearing for the Respondent company, fairly offers to accede to interim relief on the footing that the main reference itself should be disposed of expeditiously with co-operation from all second party workmen and their union.

3 Learned Counsel for the Petitioners on behalf of the union as well as the second party workmen agree that they shall co-operate and cause the reference to be heard expeditiously.

4 In the premises, the writ petitions are disposed of in terms of the following order :

(I) The impugned order of 7 February 2013 is quashed and set aside. There will be interim relief in terms of clause (4) of the Minutes of Order, which were taken on record by the Division Bench of this court on 27 August 2012 in Writ Petition N.5656/2012 and others, for a period of six months from today. It is made clear that this interim relief implies that the Respondent shall not to disturb the services of the workers enlisted in the petition. It is also made clear that in case the Petitioner union or enlisted workmen have any grievance in relation to their service conditions, the same may be agitated before the Industrial Tribunal.

(II) The Industrial Tribunal at Thane shall dispose of the reference, namely, Reference (IT) No.48/2012, as expeditiously as possible and in any event within a period of six months from today.

(III) All parties shall co-operate for expeditious hearing of the reference and not seek any adjournments.

(IV) The parties shall appear before the Industrial Tribunal on 13 August 2018 at 11.00 a.m. and seek directions for hearing.

(V) If, for any reason, the reference cannot be disposed of within six months from today, despite co-operation of the parties and expeditious hearing by the Industrial Tribunal, the Petitioners will be at liberty to apply for extension of interim relief provided in this order. It is, however, made clear that such application may be decided by the Industrial Tribunal on its own merits and without reference to this order, since this order is passed as an ad-hoc arrangement on the basis of consent of parties and not after application of mind by this court.

(VI) All rights and contentions of the parties on merits are kept open.

(S.C. GUPTE, J.)