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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6532 OF 2018

Sandoz Private Limited

...Petitioner

vs

Bharatiya Kamgar Karmchari Mahasangh

...Respondent

.....

Mr. S.K. Talsania, Senior Counsel, a/w. Mr. Aniket Nimbalkar, i/b. M/s. AZB & Partners, for the Petitioner.

Mr. Bennet D'Costa, a/w. Ms. Jignasha Pandya, for the Respondent.

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CORAM : S.C. GUPTA, J.

DATED: JULY 2, 2018

P.C. :

. Heard learned Counsel for the parties. This petition concerns an order passed by the Industrial Court at Mumbai on a miscellaneous application (Exhibit C-9) raising a preliminary issue of jurisdiction. The issue is of territorial jurisdiction of the Industrial Court at Mumbai. After the matter is heard at some length, it is agreed between learned Counsel for both parties that this Court may transfer the complaint to the Industrial Court at Thane and, if it is so transferred, none of the parties shall raise a issue of territorial jurisdiction. Accordingly the impugned order dated 3 February 2018 is quashed and set aside and Complaint (ULP) No.224 of 2017 is transferred to the Industrial Court at Thane for fresh hearing in accordance with law. It is recorded that none of the parties shall raise any issue of territorial jurisdiction of the Industrial Court at Thane in the complaint. It is

clarified that this order pertains to the particular complaint referred to above and shall not be held against any of the parties before the Court in any other reference or proceeding currently pending or to be filed hereafter between them. The petition is disposed of.

(S.C. GUPTE, J.)