

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

WRIT PETITION NO. 4896 OF 2018

Sadhu Vasvani Medical Complex Kamgar Sanghatana, Pune	...Petitioner
Vs.	
Sadhu Vasvani Mission Medical Complex Inlacs Budhrani Hospital & Anr.	...Respondents

WITH

WRIT PETITION NO. 2939 OF 2018

Manager, Sadhu Vaswani Medical Complex. Inlaks and Budhrani Hospital	...Petitioner
Vs.	
President, Sadhu Vaswani Medical Complex Kamgar Sanghatana	...Respondent

Mr.Nitin Kulkarni for Petitioner.
Mr.S.R. Nargolkar for Respondent No.1.
Mr.Meelan Topkar for Respondent No.2.

CORAM : S.C. GUPTE, J.

DATE : 30 JULY 2018

P.C. :

The companion petition, namely, Writ Petition No.2939/2018, which is not on board, is mentioned and called out for hearing along with the present petition. Heard learned Counsel for the parties.

2 After the matter is heard at some length, it is agreed between learned Counsel for both sides and accordingly ordered that the impugned order of the Industrial Court at Pune on Exhibit U-12 be quashed and set

aside and substituted by an order of allowing the statement of claim filed by the Petitioner being taken on record as to say of the Petitioner in Reference (IT) No.63/2014. Hearing of Reference (IT) No.63/2014 shall proceed accordingly. The group of employees represented by Respondent No.2, who opposes the Petitioner in the reference, may be impleaded as second party No.2. All rights and contentions of the parties on merits are kept open.

3 The following issue is framed as an additional issue in the reference :

“Whether the second party No.2 is entitled to prosecute the reference?”

4 Both petitions, i.e. Writ Petition Nos.4896/2018 and 2939/2018, are disposed of in terms of the foregoing order.

(S.C. GUPTE, J.)