

10- WP 4637 of 2018 and ors
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 4637 OF 2018

Jarandeshwar Sugar Mills Pvt. Ltd.	...Petitioner
Vs.	
Shri Vikas Ramchandra Gaikwad	...Respondent

WITH
WRIT PETITION No. 4926 OF 2018

Jarandeshwar Sugar Mills Pvt. Ltd.	...Petitioner
Vs.	
Shri Arjun Dattu Pawar	...Respondent

WITH
WRIT PETITION No. 4927 OF 2018

Jarandeshwar Sugar Mills Pvt. Ltd.	...Petitioner
Vs.	
Shri Sanjay Hindurao Chavan	...Respondent

WITH
WRIT PETITION No. 5964 OF 2018

Jarandeshwar Sugar Mills Pvt. Ltd.	...Petitioner
Vs.	
Shri Anil Sadashiv Pawar	...Respondent

WITH

WRIT PETITION No. 7535 OF 2017
Jarandeshwar Sugar Mills Pvt. Ltd. ...Petitioner
Vs.
Shri Jagganath Laxman Lad ...Respondent

Mr. Avinash R. Belge i/b. Mr. Nitin A. Kulkarni for Petitioner
Mr. Vaibhav R. Gaikwad for Respondent No.1

CORAM : SMT. SADHANA S. JADHAV, J.
DATE: OCTOBER 3, 2018

P.C.

1. Heard. Rule. Rule is made returnable forthwith by consent of the parties.
2. It appears that the employees of Jarandeshwar Sugar Mills Pvt. Ltd. Had filed complaints before the Labour Court alleging unfair labour practices. They had also filed an application seeking interim relief. In some of the matters, the Karkhana was of the opinion that the preliminary issue of the jurisdiction ought to have been decided by filing an application for interim relief. However, the Karkhana had filed written say and had contended before the Labour Court that it has no jurisdiction to decide the said application and, therefore, an application was filed seeking framing of preliminary issue. The Labour Court had rejected the said application.

3. Being aggrieved by the same, the Karkhana had approached the Industrial Court, Satara. The Industrial Court had also rejected the said application and hence, the present proceedings.

4. As on today, by virtue of the Ordinance issued by the Law and Judiciary Department, Maharashtra dated 27th June, 2018, there is no question of deciding the preliminary issue under section 9A of the Code of Civil Procedure, 1908.

5. As on today, both the parties submit that they do not wish to proceed with the present petitions and have prayed that the complaints filed by the employees of the Karkhana to decide by the Labour Court expeditiously.

4. In view of this, the Labour Court at Satara shall decide the main complaints being Complaint (ULP) No. 21 of 2016 in WP No. 4637 of 2018, Complaint (ULP) No. 54 of 2016 in WP No. 4926 of 2018, Complaint (ULP) No. 38 of 2016 in WP No. 5964 of 2018, Complaint (ULP) No. 37 of 2018 in WP No. 7535 of 2017, Complaint (ULP) No. 53 of 2016 in WP NO. 4927 of 2018 as far as possible on or before 30th May, 2019. The respective counsels shall co-operate with the Labour Court.

5. The Labour Court shall not give any unwarranted adjournments to either of the parties. All the contentions raised in these petitions, except the

maintainability of the matters, are kept open.

6. It is made clear that the present matters have not been heard on merits.

Rule is made absolute in the above terms.

[SMT. SADHANA S. JADHAV, J.]