

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

WRIT PETITION NO.9140 OF 2017

Bharat Forge Ltd

.. Petitioner

vs

Sarva Shramik Sangh

.. Respondent

Mr.Chetan Alai with Mr. Varun Joshi, Ms.Shruti
Padsalgikar for Petitioner
Mr.Nitin Kulkarni for Respondent

Coram : S.C.GUPTE, J

Date : 12th JUNE 2018

P.C

1. After the petition is heard at some length, it is agreed between learned counsel for both parties that the petition can be disposed of by setting aside the impugned order and remanding the matter, i.e. application of the petitioner-employer for dismissal of the complaint on the ground of want of proper representation, to the Industrial Tribunal for a fresh hearing in accordance with law.

2. It is accordingly ordered as follows:

ORDER

(i) The impugned order dated 16.6.2017 of the Industrial Tribunal is quashed and set aside and the application Exhibit C-2 filed by the petitioner- employer in Reference IT No.4 of 2013 is remanded to the Industrial Tribunal at Satara for a fresh hearing in accordance with law;

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

(iii) The Industrial Tribunal shall hear both the parties and decide the application as expeditiously as possible and preferably within a period of one month from today.

(S.C.GUPTE, J)