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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.1375 OF 2018

Mumbai Labour Union

..Petitioner.

V/s.

Union of India & Ors.

..Respondents.

Ms.Neeta Karnik for the petitioner.

Mr.Neel Helekar for respondent Nos.1 to 3.

***CORAM: SHANTANU KEMKAR AND
NITIN W.SAMBRE, JJ.***

DATE : JUNE 12, 2018

PC.:-

The petitioner claims to be Labour Union of which members are working in DBS Bank Ltd. The petitioner union had approached the Labour Commissioner for conciliation under section 12 of the Industrial Disputes Act, 1947 (for short 'the Act'). The Conciliation Officer recorded failure of the conciliation vide order dated October 9, 2015 (Exhibit-J to the petition). The report to that effect has been submitted by the Conciliation Officer and Assistant Labour Commissioner (C)-III, Mumbai to respondent No.2 Secretary, Ministry of Labour, Government of India, New

Delhi.

2. The grievance of the petitioner is that in spite of lapse of about 3 years, no further steps have been taken by the second respondent on the said report of failure of conciliation.

3. Today, when the matter came up for hearing, the learned counsel for the petitioner has prayed that the petition may be disposed of by directing the second respondent to consider and to take appropriate steps on the said failure of conciliation report as are required to be taken under the Act.

4. Having regard to the aforesaid, we dispose of the petition by directing the second respondent to take further steps in accordance with law on the said failure report (Exhibit-J) as expeditiously as possible and preferably within six weeks from the date of receipt of copy of this order.

5. At this stage, it has been pointed out by the learned counsel for the parties that the C.G.I.T., Mumbai is not functioning. The respondent No.2 to consider this aspect of the matter and if the authority feels it necessary and if it decides to refer the

dispute, it may refer the same to any other competent authority under the Act.

6. With the above directions, the petition stands disposed of.

(NITIN W.SAMBRE, J.)

(SHANTANU KEMKAR, J.)