

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

915 WRIT PETITION NO.4514 OF 2019

SANDIP RUSTUM PAWAR
VERSUS
SARPANCH / GRAMSEVAK GRAMPANCHAYAT MANGRUL AND OTHERS

...
Advocate for Petitioners : Mr. Lathe B. G.

...
CORAM : **RAVINDRA V. GHUGE, J.**

Date: July 23, 2019

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PER COURT :-

1 The petitioner is aggrieved by the order dated 19.1.2019 passed by the Industrial Court, Jalna, by which the Application for interim relief Exhibit U-2, filed in Complaint ULP No.29/2018, has been rejected.

2 I have considered the submissions of the learned Advocate for the petitioner.

3 It is submitted that, the father of the petitioner was a permanent employee of the respondent Grampanchayat. After he suddenly become seriously ill and could not report for duties, the petitioner was engaged by the Grampanchayat to work as a peon. After he filed the ULP. Complaint before the Industrial Court in March, 2018, the Grampanchayat orally terminated his services from 4.4.2018. He, therefore, moved Exhibit U-2 and prayed for interim relief.

4 It is well settled that, the Labour or Industrial Court cannot grant a final relief in the nature of an interim order. An order for reinstatement in service during the pendency of the complaint, by way

of interim relief, is impermissible.

5 Considering the above, this petition being devoid of merit, is dismissed.

6 Learned Advocate for the petitioner submits that the petitioner would think as to whether he can proceed with the complaint as it is before the Industrial Court or whether he needs to raise an Industrial Dispute under section 2-A, of the Industrial Disputes Act, 1947. This Court need not express a view on this aspect, as the petitioner, litigant is at liberty to avail of a remedy as is permissible in law.

(RAVINDRA V. GHUGE, J)

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