

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3741 OF 1999

ZILLA PARISHAD, LATUR THROUGH C.E.O.Z.P.LATUR
VERSUS
VINAYAK DEVIDAS KULKARNI

...
Advocate for the Petitioner : Shri A. V Hon

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 06th MAY, 2019.

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PER COURT :

1. The learned Advocate for the respondent is absent.
2. The petitioner Zilla Parishad has challenged the judgment and order dated 23/04/1999 delivered by the Labour Court, Latur, vide which, complaint (ULP) No. 77/1995 filed by the respondent employee, was allowed. By an ad interim order, the impugned judgment was stayed.
3. This Court has held in the matter of *Engineering Employees Union Vs. Devidayal Rolling and Refinery Pvt. Ltd. [1986 (52) FLR 40 = 1986 Mh.L.J. 331]* and *Clifford Rebello v. Hotel Oberoi Towers [(2001) III CLR 805]*, that any order or judgment delivered by the Labour Court under

Section 28 of the MRTU and PULP Act, 1971, cannot be challenged directly before this Court and the remedy of filing a revision petition under Section 44 of the said Act, has to be exhausted.

4. In view of the above, this petition is disposed off with liberty to the petitioner to prefer a revision (ULP) under Section 44 before the Industrial Court at Latur, within 45 days from today.

5. Since the interim protection granted by this Court in favour of the petitioner in relation to the judgment of the Labour Court dated 23/04/99, is in operation for almost 20 years from 02/08/1999, I deem it appropriate to direct the Industrial Court to decide the said revision ULP, if not already decided, on its own merits, as expeditiously as possible and on or before 29/02/2020. The interim protection would continue till the revision ULP is decided or till 29/02/2020, whichever is earlier.

6. Rule is discharged.

(RAVINDRA V. GHUGE, J.)

shp/-