

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8895 OF 2019

Kamal Vijay Ambhore

...Petitioner

Versus

Aurangabad Municipal Corporation,
Aurangabad.

...Respondent

.....

Mr. U.R.Awtade, Advocate holding for Mr. S.B.Talekar,
Advocate for the Petitioner.

.....

WITH

WRIT PETITION NO. 8898 OF 2019

Vijay Malhari Ambhore

...Petitioner

Versus

Aurangabad Municipal Corporation,
Aurangabad.

...Respondent

.....

Mr. U.R.Awtade, Advocate holding for Mr. S.B.Talekar,
Advocate for the Petitioner.

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CORAM : RAVINDRA V. GHUGE, J.

DATE : 23-07-2019.

PER COURT :

01. In both these petitions, the petitioners, who are *inter-se* wife and husband, respectively are aggrieved by the Orders of the Labour Court rejecting their

application for interim relief filed under Section 30(2) of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971, vide which the Labour Court has refused to grant interim relief in the nature of reinstatement in service to these two petitioners. These petitioners are also aggrieved by the Judgment of the Industrial Court, vide which the Revision (ULP) proceedings under Section 44 of the said Act, have been dismissed.

02. The learned Counsel for the petitioner has strenuously criticized the interlocutory Orders of the Labour Court and the Judgments of the Industrial Court. My attention is drawn to the grounds formulated in the memo of the petitions. It is stated that they have been working as class IV permanent employees with the Aurangabad Municipal Corporation since 1993. Due to a family feud, some of the close relatives lodged false complaints against them as regards the dates of birth and the records pertaining thereto. It is on the basis of such complaints that the services of the petitioners were terminated by the corporation.

03. Considering the crystallized position of law, I do not find that the impugned Orders could be faulted for

the reason that granting final relief at an interim stage, is an anathema. There can be no relief in the nature of reinstatement in service by way of an interim relief. Both the Courts have therefore rightly refused such relief.

04. The Industrial Court had directed the Labour Court to decide the pending complaints expeditiously and preferably within a period of one year from the date of its Judgment, which is 29.1.2019.

05. Considering the above, I do not find that any interference is called for. Both these petitions being devoid of merit are, therefore, dismissed.

[RAVINDRA V. GHUGE]

JUDGE

Dahibhate/-