

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

9 WRIT PETITION NO.14149 OF 2019

JAVED MOHIODDIN ANISODDIN INAMDAR AND OTHERS
VERSUS
THE CHIEF OFFICER NAGAR PARISHAD AND OTHERS

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Advocate for Petitioners : Shri Shinde Manoj D.
AGP for Respondents 2 & 3 : Shri Kale A.r.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: November 25, 2019

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PER COURT :-

1. The petitioners, who are the original complainants, in Complaint (ULP) No.41 of 2019 are aggrieved by the order dated 27.9.2019 passed by the Industrial Court, by which application Exhibit CU-1 and CU-6, filed by third party workmen seeking addition to the complaint as respondents, has been allowed.

2. The learned Advocate for the petitioners have strenuously criticized the impugned order. I have gone through the ten grounds formulated in the petition.

3. I find from prayer clause (c) of the ULP Complaint that the petitioners pray for nullifying the letter dated 9.4.2019, issued by the Nagar Parishad Majalgaon. There is no dispute that the third party, who seek addition, are the beneficiaries of the said decision. If

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the said decision is set aside by the Industrial Court, the benefits granted to the third party will have to be taken away. As such, the third party are stakeholders and the decision on the said notification, dated 9.4.2019, cannot be taken by the Industrial Court without hearing them.

4. In view of the above, the impugned order dated 27.9.2019 cannot be branded as being perverse or erroneous.

5. This petition is, therefore, dismissed.

6. Needless to state, all contentions of the litigating sides are kept open.

(RAVINDRA V. GHUGE, J.)

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