

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6527 OF 2019

Panvel Municipal Corporation and Anr.	... Petitioners
Vs.	
Sarva Shramik Sangh through its Organizing Secretary.	... Respondent

Mr. R.S. Apte, Senior Adv. I/b J.G. Reddy (Aradwad) for the petitioners.
Mr. Sanjay Singhvi, Senior Adv. With Ms. Karishma Rao for respondent.

CORAM : NITIN W. SAMBRE, J.

DATE : 11th June, 2019.

P.C. :

I have heard the respective senior counsel.

2 The complaint (ULP) No. 301/2016 was initiated by employee who are the members of the respondent-Union, initially against erstwhile employer i.e. City and Industrial Development Corporation of Maharashtra Ltd. (Hereinafter referred to as 'CIDCO' for the sake of brevity), alleging unfair labour practice under the provisions of The Maharashtra Recognition of Trade Union and Prevention of Unfair Labour

Practices Act, 1971 (Hereinafter referred as 'MRTU & PULP Act, 1971' for sake of brevity).

3 After entire health service established by the CIDCO in relation to the Panvel municipal area was taken over by the petitioner -Corporation pursuant to the agreement dated 20/06/2018, complaint (ULP) No. 268/2018 by trade union came to be moved under MRTU & PULP Act, 1971. An interim order came to be passed on 05.03.2019 by the Member, Industrial Court, Thane which is subject matter of the petition at the behest of employer.

4 After having heard for some time, the learned senior counsel for both the parties are in agreement that both the complaints can be tagged together and petitioner is permitted to substitute or be added as respondent in complaint in ULP No. 301/2016. It shall be open for petitioner to get added as party-respondent in the said complaint.

5 Both these complaints be tagged together and be heard by same Industrial Court. Without going into the merits of the order impugned, it will be appropriated, in my opinion, to direct the learned

Industrial Court to decide both these complaints in accordance with law preferably within a period of one year from the date of appearance of the parties from the date of tagging together.

6 The petition stands disposed of accordingly.

7 Needless to clarify that the Court at the behest of the parties has not examined the merits and it shall be open for the parties to canvas their respective claims, without being influenced by the orders impugned.

(N. W. SAMBRE, J.)