

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.2132 OF 2018

Western Railway Motormens Association
and Anr.

... Petitioners

versus

Union of India and Ors.

... Respondents

Mr. Ramesh Ramamurthy I/by Mr. Saikumar Ramamurthy, for Petitioners.

Mr. Ausgre Carvalho I/by Mr. P.S.Gujar, for Respondent Nos.1 and 2.

Mr. Abhay Kulkarni, for Respondent No.3.

Mr. Chetan Agarwal with Mr. Pravin Mengane, for Respondent No.4.

**CORAM: AKIL KURESHI &
S.J. KATHAWALLA, JJ.**

DATE: 18th JULY, 2019

P.C.:

1. The Petitioner is an Association of Western Railways Motormen. The Petitioner has prayed for early disposal of a pending Industrial Dispute referred to the Central Government Industrial Tribunal – cum – Labour Court No.1, Mumbai, under a reference order dated 22nd May, 2013. Learned Counsel for the Petitioner submitted that presently the said Court No.1 is not functional for non-appointment of the Presiding Officer who has to be a retired High Court Judge. He however, submitted that the subject matter of the disputes as such which can as well be heard by the Central Government Industrial Tribunal -cum- Labour Court No.2 which is

functional. Counsel appearing for the Respondents also agree to this position. Learned Advocates pointed out that for non-availability of the Court No.1, the dispute has remained pending without any progress nearly six years.

2. Under the circumstances, the References being CGIT-31/2012 and CGIT-28/2013 are transferred to the Central Government Industrial Tribunal -cum- Labour Court No.2, which may be disposed of expeditiously and preferably within 12 months from the date of receipt of the copy of this order.

3. The Writ Petition is accordingly disposed of.

(S.J.KATHAWALLA, J.)

(AKIL KURESHI, J.)