

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.1057/2019

The State of Maharashtra and another

..Vs..

Bhagirathibai Pralhad Karhad

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri V.P. Maldhure, A.G.P. for the petitioners.

CORAM : Z.A. HAQ, J.

DATE : 11.2.2019.

Heard.

The petitioners / employer have challenged the order passed by the Industrial Court by which the complaint filed by the respondent / employee under Section 28 of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 is allowed. After considering the material on record, the Industrial Court has recorded its conclusions in paragraph No.10 of the impugned order as follows:

“10. Thus the contents of the order dated 27/12/2007 positively disclosed that the complainant is absorbed in the services in the pay scale of Rs.2550-3200 on the post of O.P.D. Assistant. The complainant has specifically claimed that she is working on the said post. In that case as per the order dated 27/12/2007 the complainant is entitled to all the monetary benefit of the permanent employee. The respondents have never claimed that as per the order dated 27/12/2007 the benefits are granted to the complainant. In that case the evidence as come on record is sufficient to

hold that the respondents have committed unfair labour practice by not granting the benefits to the complainant as per the order dated 27/12/2007.”

It is further recorded that the employer failed to adduce evidence and to produce any material to oppose the claim of the respondent / employee. Before this Court also the petitioners have not been able to point out any illegality or perversity in the order passed by the Industrial Court. Hence, I see no reason to interfere with the impugned order. The writ petition is **dismissed**. No costs.

JUDGE

Tambaskar.