

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

WRIT PETITION NO.897 OF 2019

(ADANI POWER PLANT KAMGAR SHRAMIK SANGH...VS.. THE DEPUTY DIRECTOR, EXERCISING
JURISDICTION, NAGPUR.)

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

Court's or Judge's orders

Shri S.S.Tambulkar, Advocate for Petitioner.

CORAM : Z.A.HAQ, J.

DATED : FEBRUARY 18, 2019.

None appeared for the petitioner on 11th February 2019, the matter was adjourned. Today in the morning session none appeared for the petitioner, the matter was kept back. In the afternoon session, again none appears for the petitioner.

The registration granted to the petitioner-union is cancelled. The petitioner-union has challenged the order cancelling the registration by filing appeal which is pending before the Industrial Court. In this appeal, the respondent-Deputy Registrar filed an application (Exh.C-9) contending that M/s. Adani Power Maharashtra Ltd. is necessary party to the proceedings and as it is not impleaded, the appeal be dismissed. This application (Exh.C-9) is decided by the Industrial Court by the impugned order. The Industrial Court has rejected the prayer made by the respondent/ Deputy Registrar for dismissing the appeal on the ground of non-joinder of necessary party. However, the Industrial Court has directed the petitioner/Union to implead M/s. Adani Power Maharashtra Limited as respondent in the appeal. Being aggrieved by this direction, the petitioner has filed this petition.

In paragraph No. 5 of the impugned order, the Industrial Court has recorded that the registration granted to the petitioner union is cancelled because of the complaint which is made by M/s. Adani Power Maharashtra Limited. It is observed that the complaints made by M/s. Adani Power Maharashtra Limited were inquired into by the officer appointed by the respondent-Deputy Registrar and substance was found in the complaints. I find that the Industrial Court has not committed any error by directing the petitioner-Union to implead M/s. Adani Power Maharashtra Ltd. as respondent in the appeal. I see no reason to interfere with the impugned order.

The petition is **dismissed**. No costs.

JUDGE

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