

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.9052 OF 2017

Mayur Naresh Chavan	...	Petitioner
Versus		
Mahanagarpalika Karmachari Sangh		
And Others	...	Respondents

.....

Mr. Sandeep S. Koregave for the Petitioner.
Mr. Neelam Topkar for Respondent No.1.
Mr. Ashutosh B. Patil i/b Mr. Sagar A. Mane for Respondent No.2.
Ms. Vaishali Nimbalkar, AGP for Respondent Nos.3 and 4.

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CORAM : S.C. GUPTE, J.

DATE : 27 FEBRUARY 2020

P.C. :

. Heard learned Counsel for the parties.

2 This writ petition challenges an order passed by the Industrial Court at Kolhapur on a preliminary issue in a complaint of unfair labour practice. The preliminary issue concerned *locus standi* of Respondent No.1 union, who was the original complainant. Since passing of the impugned order, the enquiry into the complaint has made a substantial progress; entire evidence has been recorded and the matter is at the stage of oral submissions. On these facts, it is in

the interest of justice not to entertain any challenge to the impugned order at this stage and to allow the Industrial Court to dispose of the complaint, reserving liberty to the Petitioner to raise the challenge to the finding on the preliminary issue, in case the final order passed by the Industrial Court goes against him. Accordingly, the writ petition is disposed of by reserving liberty to the Petitioner to challenge the impugned order in case the complaint is decided by the Industrial Court against him. All rights and contentions of the parties on merits in that behalf are kept open.

(S.C. GUPTE, J.)