

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO.1043 OF 2020**

The Rayat Sevak Cooperative
Bank Ltd., Satara And Ors.

...Petitioners

vs

Shri. Vaibhav Kashinath Phalle

...Respondent

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Mr. K.S. Bapat, a/w. Mr. T.R. Yadav, i/b. Mr. Avinash H. Fatangare, for
the Petitioners.

Mr. Sandeep S. Koregave, for the Respondent.

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CORAM : S.C. GUPTE, J.

DATED: 26 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 an interim application made under Section 30 (2) of MRTU & PULP Act, 1972. The application was made in a complaint of unfair labour practice under items 3, 9 and 10 of Schedule IV of that Act.

3. After the matter is heard at some length, it is agreed between the parties that the impugned order may be quashed and set aside and the application, Exhibit U-2, may be remanded to the Industrial Court for a fresh hearing in accordance with law. It is ordered accordingly.

4. The Petitioners herein will be entitled to place such

additional material/evidence before the court as it may deem fit. So also, in case any additional material is placed by the Petitioner before the court, the Respondent shall be at liberty to place material/evidence before the court as it may deem fit. All rights and contentions of the parties on merits are kept open. Ad-interim order operating in the complaint pending determination of Exhibit U-2 shall continue to operate. The Industrial Court is requested to dispose of Exhibit U-2 as expeditiously as possible and preferably within a period of three months from today. Both parties shall appear before the Industrial Court on 6 March 2020 at 11.00 a.m. and produce an authenticated copy of this order. The Industrial Court may, thereupon, fix the schedule of hearings and dispose of the complaint in a time bound manner. The complainant shall co-operate with the Industrial Court and not seek any adjournment so as to enable the court to dispose of the application in terms of this order.

Smita
Gonsalves

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Smita Gonsalves
Date: 2020.03.02
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(S.C. GUPTE, J.)