

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

Writ Petition No. 3390 of 2020

Jaika Motors Pvt. Ltd. Nagpur VS. Amol s/o Arunrao Mohite and others

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

Court's or Judge's orders

Mr. S.G. Zinjarde, Advocate for the petitioner

CORAM : MANISH PITALE, J.

DATED : DECEMBER 15, 2020

By this Writ Petition, the petitioner has challenged order dated 05/10/2020, passed by the Industrial Court at Nagpur, whereby an application for interim relief (Exhibit U/2), filed by the respondents herein has been allowed. As a result, the effect and operation of the transfer order dated 21/08/2020, has been stayed during the pendency of the Complaint filed by the respondents before the Industrial Court.

2. The subject matter of the Complaint, as noted above, is the transfer order dated 21/08/2020, issued by the petitioner, whereby the respondents were transferred from Nagpur to Gadchiroli.

3. This Court has heard the learned counsel for the petitioner. A perusal of the impugned order shows

that it runs into 22 pages and 33 paragraphs, wherein various aspects of the matter have been discussed. There is no dispute about the fact that despite issuance of transfer order dated 21/08/2020, the respondents have continued in the establishment of the petitioner at Nagpur and that now they are protected by the impugned order dated 05/10/2020.

4. Considering the aforesaid facts, this Court is of the opinion that the ends of justice would be met by giving direction to the Industrial Court at Nagpur to decide the Complaint itself on merits at the earliest so that the controversy is put to rest.

5. In view of the above, the present Writ Petition is disposed of with a direction to the Industrial Court at Nagpur to decide the Complaint (ULP) No.68 of 2020, filed by the respondents, at the earliest and in any case on or before **28th February, 2021**.

JUDGE