

1 WP1058-19
IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.1058 OF 2019

WORKMEN, REP. BY THE
GENERAL SECRETARY,
PUTI GAONKAR.

... Petitioner

Vs

TULIP DIAGNOSTICS PVT. LTD.,
THR. ITS MANAGER AND ANR.

... Respondents

Mr. Shivraj Gaonkar, Advocate for the Petitioner.

Mr. Pulkit Bandodkar, Advocate for the Respondent No.1.

Coram : M. S. SONAK, J

Date : 7th July 2021

P.C.

After hearing Mr. Gaonkar, learned counsel appearing for the Petitioner, and Mr. P. Bandodkar, learned counsel for the employer i.e. Respondent No.1 for some time, the learned counsel agree that this petition can be disposed of by directing the Industrial Tribunal to dispose of the main references No. IT/18/17, IT/02/18, and IT/03/18, as expeditiously as possible and in any case within a period of one year from today.

2 The learned counsel for the parties state that they will cooperate with the Tribunal in expeditious disposal of the three references. This statement is accepted and the parties will have to cooperate with the Tribunal so that the Tribunal can dispose of the main references expeditiously and in any case within the time frame now

fixed.

3 The Tribunal, will have to dispose of the references on their own merits and in accordance with law based upon the evidence which the parties place before the Tribunal and the position of law as applicable to such matters. In particular, it is made clear that the Tribunal will not be influenced by any observations or *prima facie* findings recorded in the impugned interim awards which were challenged in the present petition. The observations or the findings were obviously *prima facie* since, the Tribunal was only deciding the issue as to whether any interim relief had to be granted to the workmen represented by the Petitioner Union or not. The references, it is reiterated will have to be decided on their own merits and in accordance with law. All contentions of all parties are expressly left open for the determination of the Tribunal while disposing of the main references.

4 With the aforesaid observations and directions, this petition is disposed of. There shall be no order as to costs.

5 Parties to file authenticated copy of this order before the Tribunal.

6 All concerned, to act on the authenticated copy of this order.

M. S. SONAK, J.

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