

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.189 OF 2020

Sunil Chauhan

...Petitioner

Versus

State of Goa & Ors.

... Respondents

None for the Petitioner.

Mr. G. Shetye, Additional Government Advocate for the Respondent Nos.1 to 4.

Mr. Prasanna Chawdikar, Advocate for Respondent No.5.

**Coram :- M. S. SONAK &
BHARATI H. DANGRE, JJ.**

Date : 13th January, 2021

P.C.

The Petitioner who is otherwise appears in person, is not present today. Mr. G. Shetye appears for Respondent Nos.1 to 4 and Mr. P. Chawdikar for Respondent No.5.

2. The Petitioner seeks the following reliefs by instituting the present petition.

“(a) to issue a writ of mandamus, or in the nature of mandamus or any other appropriate writ, order or directions, calling for the records and proceedings of labour Court-II Case No.LC-II/IT/14/2017 being heard by labour Court-II respondent No.2, and after perusing the same, for appropriate direction to respondent no.2, to expedite the hearing of the said case and in any event, to pronounce a final order within three months of the disposal of the present writ petition;

(b) to issue a writ of mandamus, or in the nature of mandamus or any other appropriate writ, order or directions, calling for the records and proceedings of APPEAL No.288/2019/CIC of the Goa State Information Commission respondent no.3, in the matter of the application of petitioner under RTI Act, 2005, and after perusing the same, for appropriate direction to respondent No.3 to expedite the hearing of the said case and in any event, to pronounce a final order within three months of the disposal of the present writ petition.”

3. Since, the reference is pending since the year 2017, there can be no difficulty in issuing directions to the Labour Court to expeditiously dispose of the proceedings. However, Mr. Shetye points out that both the Petitioner as well as Respondent No.5 are seeking unnecessary adjournments and therefore, it was not possible for the Labour Court to dispose of the matter by now.

4. The parties, must cooperate with the Labour Court in the matter of expedition disposal of the proceedings. The Labour Court should not also entertain any unnecessary and unjustified request for adjournments.

5. Mr. Chawdikar, learned counsel for Respondent No.5 assures this Court that no unnecessary adjournments will be applied for on behalf of Respondent No.5. Since, the Petitioner seeks the relief of expedition, we expect that the Petitioner will also render all cooperation in the matter.

6. Accordingly, we direct the Labour Court-II to dispose of the proceedings referred to in prayer clause (a) of this petition as expeditiously as possible and in any case within a period of six months from today. The connected matters to also be disposed of within the same period since, it is pointed out that there are two other proceedings connected to this matter.

7. Further, if the appeal referred to by the Petitioner in prayer clause (b) of the petition is still pending, then the same should also be disposed of within a period of three months from today.

8. Mr. Shetye agrees to place an authenticated copy of this order before the Labour Court-II and the Goa State Information Commission within a period of one week from today.

9. This petition is disposed of in the aforesaid directions. There shall be no order as to costs.

10. All concerned to act on the basis of the authenticated copy of this order.

BHARATI H. DANGRE, J

M. S. SONAK, J

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