

Urmila Ingale

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

WRIT PETITION NO. 2445 OF 2021

Manugraph Unit - 2 Employees Union Petitioner
Vs.
State of Maharashtra and anr. Respondents

Mr.Sanjay Singhvi, Senior Advocate i/b Subha Nivedha, for the
Petitioner.
Mr. P.P.Pujari, AGP for the Respondent – State.
Mr.Sandip Mutaalik, for Respondent No.2.

CORAM : M. S.KARNIK, J.

DATE : 05th JULY, 2021

P.C. :

. Heard learned Senior Advocate Shri Singhvi
appearing on behalf of the Petitioner- employees Union. Heard
learned Counsel appearing on behalf of the Company and Shri
Poojari learned AGP appearing for State.

2. Learned Senior Advocate Shri Singhvi contended that
insofar as the Unit No.2 of the Respondent - Company situated
at Kolhapur is concerned, an application was made by the
Company in the year 2019 for closing down the Unit. It is also

pointed out by Shri Singhvi that an application made earlier to retrench workers from Unit 1 was rejected by the competent authority in the year 2017. The application to close down unit No. 2 made in the year 2019 was granted by the appropriate government by an order passed under Section 25(O)(2) of the Industrial Disputes Act, 1947 (for short 'said Act') on 03/09/2020.

3. Aggrieved by the order passed by the appropriate government granting permission to close down the Unit No.2, the Petitioner - Union filed a review before the appropriate government under Section 25(O)(5) of the said Act on 25/09/2020. The said application was filed within a period of 30 days of passing of the order sought to be reviewed.

4. It is the grievance of the learned Senior Advocate that though the application was filed as far back as on 25/09/2020 and though on few occasions, the hearings have taken place, the review is yet to be decided finally. According to learned Senior Advocate if a decision is not taken at the earliest, serious prejudice will be caused to the employees as the Company is in the process of shifting the machinery and other articles.

5. Learned Counsel for Respondent No.2 - Company submits that the review has been heard and the orders are likely to be passed soon.

6. Be that as it may, as Review Application was filed as far back as on 03/09/2020, and having regard to the apprehension expressed by learned Senior Advocate, it would be in the interest of justice, if the review is heard expeditiously. The appropriate government is directed to hear the review application filed before the Secretary, Industries, Energy and Labour Department, Government of Maharashtra enclosed at Exhibit 'B' of this Petition expeditiously and in any event, within a period of 6 weeks from 08/07/2021. The parties undertake to appear before the appropriate government on 08/07/2021 at 3.00 p.m. and produce the copy of this order whereafter further schedule may be fixed. It is made clear that I have not expressed any opinion on merits of the Review Application. All contentions are kept open. Learned AGP to communicate this order as well.

7. Writ Petition is disposed of in the above terms.

(M.S.KARNIK, J.)