

PMB

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

**WRIT PETITION NO.2336 OF 2019**

Sachin Ramchandra Zhanjad and ors. .. Petitioners

vs.

M/s. Ghag Inox Ltd. and anr. .. Respondents

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Mr. Prashant Kamble I/b. Mr. A.S. Rao for the Petitioners.

Mr. Rakesh K. Singh a/w Shivani Soni for the Respondents.

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**CORAM : M.S.KARNIK, J.**

**DATE : AUGUST 26, 2021**

**P.C.**

Heard learned counsel for the parties.

2. It is the contention of the Petitioners that the complaint (ULP) No.242 of 2017 came to be filed before the Industrial Court alleging various unfair labour practices on the part of the Respondents. Learned counsel contended that the plant and machinery of the said company which was situated at Pune was transferred to Haryana. The complaint therefore came to be filed for appropriate relief that the plant and machinery should not be transferred. The Petition has been pending hearing for some time. In the meantime, under the provisions of the Insolvency Bankruptcy Code, 2016, Mr. Sanjay Gupta came to be appointed as the professional. The proceedings before the NCLT have come to an end.

3. Be that as it may, it is the contention of learned counsel for the Respondent-Company that not only the operations of the company are shifted to the Haryana but even the services of the Petitioners are terminated because they failed to report to the transferred place of posting at Haryana during the pendency of the proceedings.

4. In this view of the matter, it is now for the Petitioners to challenge the order of termination of their services before the appropriate forum seeking appropriate reliefs. So far as the present Petition is concerned, keeping the liberty of the Petitioners open to challenge the orders of termination, the complaint before the Industrial Court can be directed to be decided expeditiously and preferably within a period of nine months from today.

5. All contentions of the parties are kept open.

6. The Writ Petition is disposed of.

**(M.S.KARNIK, J.)**