

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

WRIT PETITION NO. 2389/2019

1. Maharashtra State Road Transport Corporation, through its Divisional Controller, Division Office, Nagpur
2. The Deputy General Manager, Controlling Committee No.3, Maharashtra State Road Transport Corporation, Central Office, Mumbai**PETITIONERS**

...VERSUS...

Ku. Shila d/o Ashok Naik,
aged 33 years, Occ. Service (Bus Conductor), r/o Shiv Mandir, Saoner,
Dist. Nagpur. **...RESPONDENT**

Mr. Rohan Chhabra, Advocate for petitioners.
Mr. C. V. Jagdale, Advocate for respondent.

CORAM:- V. M. DESHPANDE, J.
DATED :- 23.02.2021

ORAL JUDGMENT

1. At the admission stage itself, the present writ petition can be disposed of finally. Hence, Rule. Rule is made returnable forthwith.

2. The respondent is working as Conductor with Maharashtra State Road Transport Corporation. By order

dated 15.02.2019, her services were transferred from Nagpur Division to Chandrapur Division. The respondent thereafter filed Complaint ULP No.39/2019 before the Industrial Court, Nagpur challenging the said order of transfer on various grounds. Along with the complaint, an application under Section 30 (2) of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practice Act, for grant of interim relief was also filed. The said application is at Exh.U/2 in the said complaint. The learned Judge, Industrial Court on 01.04.2019 allowed the application filed on behalf of the respondent and stayed the order dated 15.02.2019.

Being aggrieved by the said, the present writ petition is filed.

3. This Court (Coram: Z. A. Haq, J.) on 17.07.2019, issued notices to the respondent and at the same time, granted interim relief in favour of the petitioners, thereby staying effect and operation of order dated 01.04.2019 below Exh.U/2. It is reported to this Court by learned counsel for respondent that the respondent has already joined her duties as a Conductor in Gadchiroli Depot of Chandrapur Division. It is further reported

that the Complaint ULP No.39/2019 filed by the respondent is still pending before learned Member, Industrial Court, Nagpur.

4. Any comment on merit from this Court will certainly cause prejudice to both the parties. Since, the respondent has joined her duty as Conductor at Gadchiroli Depot from 25.09.2019, in my view, interest of justice can be secured by passing following order.

ORDER

(i) The writ petition is disposed of with a direction to the learned Member, Industrial Court, Nagpur that it shall decide Complaint ULP No.39/2019, as expeditiously as possible and within a period of two months from 16.03.2021.

(ii) The petitioners as well as respondent are directed to remain present before the learned Industrial Court on 16.03.2021 and extend full cooperation for expeditious disposal of the matter.

(iii) Interim order dated 17.07.2019 passed by this Court shall remain in operation till decision of Complaint ULP No.39/2019, on its own merit.

JUDGE

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