

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR
WRIT PETITION NO.4018 OF 2017

Shri Vishnu s/o Shyamlal Khare,
Aged about 54 years, Occu: Sevice,
R/o Plot No.563, Near Shitla Mata Mandir,
Neharu Nagar Zone No.5, Nagpur.

...PETITIONER

...V E R S U S...

- 1) Nagpur Mehtar Vividh Uddeshiya
Sahakari Sanstah Maryadit, Nagpur
Through its Secretary,
Near Gurudev Seva Mandal,
Subhash Road, Cotton Market Road,
Nagpur.
- 2) Shri Pradip Mahato, Ex-Secretary,
Nagpur Mehtar Vividh Uddeshiya
Sahakari Sanstah Maryadit, Nagpur
R/o Kashibai Deval, Shukrawari,
Nagpur.

...RESPONDENTS

Shri N.H. Samundre, Advocate for petitioner.
Shri Ramesh Bhongade, Advocate for respondents.

CORAM:- V. M. DESHPANDE, J.
DATED :- 15th FEBRUARY, 2021.

ORAL JUDGMENT

Rule. Rule is made returnable forthwith. Heard finally
by consent of the parties.

(2) Heard Shri Nitesh Samundre, learned counsel for the
petitioner and Shri Ramesh Bhongade, learned counsel for both
the respondents.

(3) By filing this writ petition, the petitioner is challenging

the order passed by the learned Member of the Industrial Court, Nagpur below Exhibit-U/2 in Complaint (ULP) No.283 of 2016 whereby the learned Member has dismissed the application for interim relief.

(4) This writ petition was filed in the year 2017. On 29.06.2017, ad interim relief was granted in favour of the petitioner staying the order dated 03.03.2017 passed by the learned Member of the Industrial Court. The interim order is continued from time to time and as on today the interim order is in operation.

(5) The petitioner filed a complaint on the ground that on 13.09.1982 he was appointed with the respondent-Society as a Peon and thereafter he was promoted to the post of Daftari w.e.f. 25.09.1991. He was reverted from the post of Daftari to the post of Peon on 27.06.2016. Against that he preferred the complaint in which the application interim relief was granted. The interim order granted in favour of the petitioner is in operation from 29.06.2017. The complaint filed by the petitioner i.e. Complaint (ULP) No.283 of 2016 is still pending on the file of the learned Member of the Industrial Court (Maharashtra), Nagpur Bench, Nagpur. Therefore, any observations made by this Court may

cause prejudice to parties to this writ petition, who are the complainant and the respondent before the Industrial Court.

(6) In that view of the matter, the Complaint (ULP) No.283 of 2016 pending on the file of the learned Member, Industrial Court (Maharashtra), Nagpur Bench, Nagpur shall be decided by the learned Member, Industrial Court as early as possible and within a period of one year from the date of receipt of this order. The parties are directed to appear before the learned Industrial Court on 22.02.2021.

(7) Till the decision of the Complaint (ULP) No.283 of 2016 the interim relief granted on 29.06.2017 shall remain in operation.

Rule is made absolute in above terms. No order as to costs.

JUDGE

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