

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

WRIT PETITION NO.6064/2019

Bibhishan Sheshrao Pawar,
Aged about 44 years, Occ. Service,
r/o Dhotra (Jahangiri), Karanja Lad,
Tq. Karanja Lad, Dist. Washim

.....PETITIONER

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

Maharashtra State Road Transport
Corporation, through its Divisional
Controller, Amravati.

...RESPONDENT

Mr. C. V. Jagdale, Advocate for petitioner.
Ms Bhagyashree Reddy Advocate holding for Mr. V. H. Kedar,
Advocate for respondent.

CORAM:- V. M. DESHPANDE, J.
DATED :- 08.02.2021.

ORAL JUDGMENT

1. Rule. Rule is made returnable forthwith. Heard finally by consent of learned counsel for the parties. Heard Mr. Jagdale, learned counsel for petitioner and Ms Reddy, learned counsel holding for Mr. Kedar, learned counsel for respondent.

2. Petitioner herein filed Complaint ULP No.69/2019 under Section 28 read with Items 5 and 9 of Schedule IV of the Maharashtra Recognition of Trade Unions and Prevention of

Unfair Labour Practices Act before the Industrial Court, Amravati and prayed for setting aside order dated 27/31.05.2019 demoting petitioner from post of Traffic Controller to the post of Conductor.

The petitioner also filed an application for interim relief under Section 30 (2) of the MRTU & PULP Act. The said application is at Exh.U-2 on record of the Industrial Court. Learned Member of Industrial Court, Amravati, vide order dated 06.08.2019 was pleased to reject the application for interim relief.

4. The petitioner is still working as Conductor. Complaint ULP No.69/2019 is still pending on the file of learned Member, Industrial Court. Mr. Jagdale, learned counsel for petitioner submits that if this Court is not inclined to interfere with the impugned order, Industrial Court, Amravati may be directed to dispose of the complaint itself.

5. After having gone through the impugned order, I am of the view that no fault can be found with the order passed by learned Industrial Court. Therefore, I am not ready to interfere with the impugned order. However, the complaint filed on behalf of the petitioner is still pending from 2019. Therefore, directions

can be given to the learned Member, Industrial Court, Amravati for deciding the matter expeditiously and within a period of six months from the date of receipt of this order.

6. In view of above, the writ petition is disposed of without interfering in the impugned order dated 06.08.2019 below Exh.U-2. Learned Member, Industrial Court is directed to decide Complaint ULP No.69/2019 within a period of six months from the date of receipt of this order. It is expected that both the parties will extend their full cooperation for expeditious disposal of the matter.

Rule accordingly. No order as to costs.

JUDGE

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