

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 5664 OF 2022

**DNYANDEO GANPAT AKOLKAR
VERSUS
MAHARASHTRA STATE ROAD TRANSPORT CORPORATION
THROUGH ITS DIVISIONAL CONTROLLER AND ANOTHER**

**. . .
Advocate for Petitioners : Mr. Parag Vijay Barde**

. . .

CORAM : MANGESH S. PATIL, J.

DATED : 06 JUNE 2022

PER COURT :

1. By way of this petition under Article 227 of the Constitution of India, the petitioner is impugning ad-interim order passed by the Member of the Industrial Court at Ahmednagar in his Complaint (ULP) No.19/2022, whereby, *inter alia*, he has put up a challenge to the vires of the departmental inquiry initiated against him by the respondents. By moving application under section 30(2) of the Maharashtra Recognition of Trade Unions And Prevention of Unfair Labour Practices Act, 1971 (for short, "*MRTU & PULP Act*"), he claimed stay to the departmental proceeding till the decision of the complaint. By the order under challenge, his application seeking ad-interim relief has been rejected on the ground that there was no sufficient ground and

justification to pass any such order ex-parte and it would have been appropriate to grant an opportunity to the respondent-employer to contest the request. It was further observed that the interim application (Exh.U-2) would be decided after summer vacation. This was the order passed on 11 May 2022.

2. Learned advocate Mr. Barde for the petitioner informs that the matter is now listed on 18 June 2022.

3. Considering the reason recorded by the Industrial Court in the impugned order, by no stretch of imagination it can be said to be either perverse or arbitrary. It only refuses to grant any ad-interim relief ex-parte. Admittedly, the substantive application for interim relief is awaiting decision and has been listed on 18 June 2022.

4. With a hope that the Court would decide that application expeditiously, the writ petition is dismissed.

(MANGESH S. PATIL, J.)