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

WRIT PETITION NO. 9666 OF 2021

RAJENDRA SUDHAKAR MAHALPURE ..PETITIONER

VS.

STATE TRANSPORT CO-OP. CREDIT
SOCIETY LTD.

..RESPONDENT

Mr. Sanjay K. Gunjkar i/b. Mr. Jaydeep S. Deo for the
petitioner.

Mr. Nitin A. Kulkarni for the respondent.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 18, 2022.

ORAL ORDER :

- 1.** Heard learned counsel.
- 2.** What was under challenge before the Industrial Court was part one award. The Industrial Court interfered at that stage.
- 3.** Mr. Nitin A. Kulkarni, learned counsel appearing on behalf of the respondent-Society, on instructions, submitted that though he supports the findings of the Industrial Court and that the Industrial Court, according to him, has correctly come to a conclusion, nonetheless submits that part one award of the Labour Court could be made subject matter of challenge before the Industrial Court after final adjudication of the complaint of unfair labour practices. In this view of the matter, the order passed by the Industrial

Court is set aside by the consent of the parties.

4. I have not expressed any opinion on the merits of the order passed by the Industrial Court and all contentions in the challenge to the order of the Labour Court in respect of the part one award is kept open to be agitated after final adjudication. The impugned observations of the Industrial Court will not come in the way of the Society agitating the findings of the Labour Court at the appropriate stage before the Industrial Court.

5. The Society may proceed further in terms of the order passed by the Labour Court and in accordance with law.

6. Since the complaint of unfair labour practices in the Labour Court is of the year 2012, the Labour Court is requested to expedite the hearing of the complaint and decide the same preferably within a period of one (1) year from today.

7. The writ petition is disposed of.

8. No costs.

(M.S.KARNIK, J.)