

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

WRIT PETITION NO. 3230 OF 2021

Mohan Ashok Sirsat vs. Maharashtra State Road Transport Corporation
and another

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Ms. Archana Lanjewar, Advocate h/f. Mr. N. R. Saboo,
Advocate for petitioner.
Mr. P. S. Gawai, Advocate for respondents.

CORAM : MANISH PITALE J.

DATE : 29/04/2022

By this petition, the petitioner has challenged order dated 17/08/2021, passed by the Industrial Court At Amravati, whereby the Revision Application filed by the respondents was allowed and an order granting interim relief to the petitioner on application Exh.U-2 during the pendency of the Complaint, was set aside.

2. While issuing notice in the present writ petition on 30/08/2021, this Court granted stay of the impugned order. As a consequence, the petitioner has continued in service with the respondents.

3. The petitioner has filed Complaint under the provisions of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 before the Labour Court in the year 2013. In the said Complaint, the petitioner had filed an application for grant of interim relief at Exh.U-2. The said application was allowed by order dated 15/02/2014 passed by the Labour Court. As a consequence, the petitioner has continued in service. The said order was made subject matter of challenge in Revision Application filed by the respondent before the Industrial Court, which as noted above, was allowed.

4. It is an admitted position that the Complaint filed by the petitioner pertains to the year 2013 and by virtue of order passed by the Labour Court and the interim order passed by this Court, the petitioner has continued in service for all these years.

5. Without going into the contentions of the rival parties on merits, this Court is of the opinion that it would be in the interest of justice that the interim order passed by this Court is continued and the Labour Court is directed to decide the Complaint expeditiously.

6. In view of the above, the writ petition is disposed of by continuing the interim order granted by this Court dated 30/08/2021, during pendency of the Complaint bearing Complaint (ULP) No. 50 of 2013 filed by the petitioner before the Labour Court. At the same time, the Labour Court, Amravati is directed to expeditiously dispose of the aforesaid Complaint and in any case within a period of three months from today.

JUDGE