

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8158 OF 2023

Bhagyashree Chandrakant Pawar Petitioner

Versus

Maharashtra State Road Transport
Corporation, Latur Division, Latur
Through Divisional Controller Respondent

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Mr. Girish N. Kulkarni (Mardikar), Advocate for the Petitioner
Mr. Anilkumar B. Dhongade, Advocate for the Respondent

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 11th JULY, 2023

ORDER :

1. By this petition, the petitioner is challenging the order passed by the learned Member, Industrial Court, Latur, below Exhibit U-2 in Complaint ULP No.65 of 2021, thereby rejecting the application of the petitioner for stay to his transfer order.

2. Admittedly, in similar set of facts, this Court has passed the order in Writ Petition No.6629 of 2023 and connected matters on 20/06/2023, and this petition is squarely covered by the said order.

3. Indisputably, the petitioner was transferred from his existing place of posting to some different depot, on administrative grounds and he challenged the transfer order, by filing Complaint in the Industrial Court, Latur. Initially, on

28th April, 2021, *ad interim* relief was granted by the Industrial Court in favour of the petitioner, thereby granting stay to his transfer order. By the order impugned in the present petition, the Industrial Court has rejected application U-2 filed by the petitioner for stay to his transfer order. Hence, this petition.

4. Learned advocate for the petitioner makes a statement that the petitioner is working in the same depot and has not joined the transfer place till date.

5. Without entering into the merits of the matter, since the complaint filed by the petitioner is pending before the Industrial Court, Latur and as per the submission of the learned advocate for the parties, pleadings of the parties are complete and as the Industrial Court has stayed the impugned orders till 30th April, 2023, this petition is disposed of by directing the Industrial Court to decide the Complaint filed by the petitioner within three months from the date of receipt of writ of this order. Till then, *ad interim* stay granted by the Industrial Court in favour of the petitioner shall continue to operate. Parties to co-operate.

[NITIN B. SURYAWANSHI]
JUDGE

S.P. Rane