

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 908 OF 2023

Maharashtra State Road Transport Corporation
and Anr.

..Petitioners

Vs.

Maharashtra State Transport Kamgar Sanghatana ...Respondent

Mr.Nitesh V. Bhutekar, for the Petitioners.

Mr.Mihir Joshi, for the Respondent.

Mr.Vinesh Bawane, M.E.O. of MSRTC present.

CORAM : G.S. KULKARNI, J.
DATE : JANUARY 20, 2023

P.C.:

1. Not on board taken on board on a praecipe as moved on behalf of the petitioners.
2. This petition assails an order dated 7 January 2023 passed by the Industrial Court below 'Exhibit U-2' in a Complaint (ULP) No.279 of 2022, whereby the Industrial Court was pleased to grant the following reliefs:-

“ORDER

- i) The Application at Exhibit U-2 is allowed.
- ii) The Respondents are directed not to implement the Circular bearing No.02/2022 dated 10.11.2022, till disposal of the Complaint.”

3. I have heard Mr.Bhutekar, learned Counsel appearing for the petitioners and Mr.Joshi, learned Counsel appearing for the respondent.

4. After this petition was heard for some time, Mr.Bhutekar, learned Counsel for the petitioners, on instructions from Mr.Vinesh Bawane, M.E.O. of MSRTC, seeks leave to withdraw this petition with liberty to the petitioner to urge contentions on the locus of the respondent-Union, before the Industrial Court in a proceedings of Complaint (ULP) No.279 of 2022.

5. Mr.Bhutekar has brought to the notice of the Court, an order passed by the Industrial Court dated 7 January 2023 whereby the impugned order dated 23 December 2022 passed below “Exhibit U-2” was stayed by the Industrial Court till 21 January 2023.

6. To enable the petitioner to approach the Industrial Court for modification by appropriate application, the stay as granted by the Industrial Court by its order dated 7 January 2023 is continued for a period of two weeks from 21 January 2023.

7. It is clarified that continuation of the stay is no reflection on any of the rival contentions. The Court has not examined any of the contentions of the parties. Hence, all contentions of the parties are expressly kept open.

8. Disposed of. No costs.

[G.S. KULKARNI, J.]