

Shabnoor

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

WRIT PETITION NO.2683 OF 2024

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Zilla Parishad Sindhudurga Through
The Chief Executive Officer & Anr ... Petitioners
V/s.
Nityanand Dashrath Bhagat & Anr ... Respondents

Mr. Rohit Sakhadeo, for Petitioner

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 29, 2024

P.C.:

1. By the impugned order, the Industrial Court has virtually granted final relief claimed in the complaint. Ordinarily, unless exceptional case made out, it is not expected that the Court will grant final relief at the interim stage.

2. Moreover, the relief sought is for transfer of respondent No.1. Therefore, such relief ought not to have been granted by the Industrial Court. However, it is informed that after issuance of the impugned order, the CEO of petitioner has issued transfer order of respondent No.1 on 23 February 2024, subject to the decision in the present writ petition. Therefore, it would be in the fitness of things that instead of keeping the writ petition pending, it would be desirable to direct the Industrial Court to decide the complaint

within six months from today. Hence, the Industrial Court is directed to decide the Complaint bearing ULP No.72 of 2022 within six months from today and the order of transfer shall be subject to decision in the complaint.

3. The writ petition stands disposed of accordingly.
4. Needless to state that the finally complaint shall be decided uninfluenced by the observations made in the impugned order.

(AMIT BORKAR, J.)