



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

Writ Petition No.4415/2024

Chairman/Secretary, District Sports Complex, Nagpur and another V Zilla Krida
Sankul Karmachari Sanghatana)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S. Ghate, Advocate for petitioners.
Mr. A. Salway, Advocate for a respondent.

CORAM : N.R. Borkar, J.

DATE : 21-08-2024.

. This petition takes exception to the order dated 09-01-2024 passed by the learned Industrial Court, Nagpur.

ii. The respondent herein has filed the complaint under Section 28 read with Items 6 and 9 of the Schedule IV of the Maharashtra Act No.I of 1972.

iii. By the order impugned, the learned Industrial Court has allowed the application filed by the respondent and directed the petitioners to produce on record the following documents :-

- "1. Muster Roll of all the members (for the period 1993 to 2023).
2. Voucher of payment of salary of the members (for the period 1993 to 2023).
3. Recruitment Rules.
4. Staffing pattern."

iv. The learned Counsel for the petitioners submits that there is no reference of the documents in question in pleadings of the parties. A specific plea was taken about non-existence of such documents. It is submitted that the learned Industrial Court without recording any finding on the said plea has mechanically allowed the application filed by the respondent.

v. On the other hand, the learned counsel for the respondent has supported the order impugned.

vi. It is not disputed that there is no reference of documents in question in the pleadings of the parties. There is no material to infer existence of such documents. The order impugned therefore will have to be quashed and set aside. The petition is allowed. The order impugned is quashed and set aside.

vii. Needless to mention that all the consequential orders shall stand quashed and set aside.

(N.R. Borkar, J.)