

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.975 OF 2025

NETW Kamgar Sangthana and
Anr.

...Petitioners

V/s.

BOSCH Employees Union and Anr.

...Respondents

Mr. T.K. Prabhakaran *i/b. Mr. Satyadev R. Pandey for the*
Petitioners.

Ms. Pavitra Manesh *for Respondent No.1.*

Mr. Kiran Bapat, *Senior Advocate i/b. Mr. Rahul D. Oak for*
Respondent No.2.

CORAM: SANDEEP V. MARNE, J.

Dated: 6 March 2025.

P.C.:

1) The Petition challenges order dated 13 August 2024 passed by the Member, Industrial Court, Nashik, by which application preferred by the Petitioner-Union at Exhibit-U5 seeking production of documents from the Respondent No.1-union has been rejected by the Industrial Court. By its application at Exhibit- U5, Petitioner sought production of following 9 documents:-

S. No.	Particulars
1.	Registration Certificate under the Trade Unions Act,, 1926.

2.	Constitution of the Respondent-Union
3.	Recognition Certificate issued to the Respondent Union by this Hon'ble Court
4.	Judgment of this Hon'ble Court conferring the recognition to the Respondent-Union in MRTU/5 of 1982.
5.	Settlements, agreements, minutes of meetings entered into by the Respondent-Union with the Employer in respect of the OJT/NETWs.
6.	Demands and claims made by the Respondent-Union on the Employer and the Legal Authorities, with decisions thereon, from time to time, after its recognition.
7.	Minutes Book of the Respondent-Union and returns filed by it before the Hon'ble Court and with the Registrar of Trade Union, since its recognition.
8.	Audit Reports of the Respondent-Union after its recognition.
9.	Membership Register of the Respondent-Union from 2011 till now.

2) Perusal of the application seeking cancellation of registration of Respondent No.1-union would indicate that the Petitioner-union has alleged violation of provisions of Sections 19(ii), (iii) and (iv) of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971, in addition to several other allegations. So far as allegations relating to non-conduct of meetings of executive committee / managing committee at regular intervals, non-recording of minutes in the minutes books and failure to conduct audit are concerned, Respondent No.1 would obviously deal with said objections by producing evidence to prove that such managing committee meetings were indeed conducted at regular intervals, the minutes of the meeting were recorded and audit has been conducted from time to time. So far as the rest of the

documents relating to registration certificate, orders passed by the Industrial Court, etc. are concerned, in my view the same are wholly irrelevant for the purpose of deciding the application for de-registration. Application for cancellation of registration would obviously proceed on a footing that there is a reregistration in favour of Respondent No.1. Therefore, documents relating to registration are not really relevant in the present case.

3) In my view, therefore no serious flaw can be traced in the impugned order passed by the Industrial Court as the documents for dealing with objections raised by the Petitioner-union will have to be obviously produced before the Industrial Court by the Respondent No.1-union to dispel the said allegations. I therefore, do not find any valid reason to interfere in the impugned order. Petition is accordingly **rejected**.

[SANDEEP V. MARNE, J.]