

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4917 OF 2025

M/s. Wallace Pharmaceuticals
Pvt. Ltd. And Anr

... Petitioners

Versus

Krupal Hadawale And Ors

... Respondents

Mr. R. V. Paranjape *a/w Mr. T. R. Yadav for the Petitioners.*

Mr. Vinod Shetty *for Respondent No.1.*

CORAM : SANDEEP V. MARNE, J.

DATE : 17 APRIL 2025.

P.C. :

1) The Petition challenges order dated 13 March 2025 passed by the Member Industrial Court, Mumbai rejecting the application preferred by the Petitioners at Exhibit C-2 for decision of preliminary issue of territorial jurisdiction. The Industrial Court has refused to decide the issue of territorial jurisdiction as preliminary issue but has directed that the same shall be decided at the time of decision of main Complaint. In that sense, the issue of territorial jurisdiction of the Industrial Court to decide Complaint (ULP) No. 60 of 2025 is still kept open, which would be decided by the Industrial Court while deciding the main Complaint.

2) In the main Complaint, the issue is about validity of transfer order of the Respondent-Workman. Considering the nature

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of grievance raised in the main Complaint, it would be appropriate that the hearing of the main Complaint is expedited rather than the issue of territorial jurisdiction being decided separately as a preliminary issue.

3) The learned counsel appearing for Respondent No.1, on instructions makes a statement that in the event of the main Complaint being decided in a time bound manner, Respondent No.1 shall not press the application for interim relief. He would however express an apprehension that the Petitioners may initiate disciplinary enquiry action against the first Respondent for having not joined the transferred place. Mr. Paranjape, the learned counsel appearing for Petitioners, on instructions, makes a statement that no coercive steps shall be taken against the first Respondent for not joining the transferred place during pendency of Complaint (ULP) No. 60 of 2025.

4) In that view of the matter, the Petition is disposed of by requesting the Member, Industrial Court, Mumbai to decide Complaint (ULP) No. 60 of 2025 in an expeditious manner, preferably within a period of six months. The Industrial Court shall decide the issue of territorial jurisdiction while deciding the Complaint finally. Both the sides shall extend due co-operative to the Industrial Court for expeditious decision of the complaint. This order is passed considering the unique facts and circumstances of the present case. With the above directions, the Petition is **disposed of**. All contentions on merits as well as on the aspect of jurisdiction are expressly kept open.

[SANDEEP V. MARNE, J.]