



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

WRIT PETITION NO. 371 OF 2019

(Ashok s/o Vasantrao Sontakke vs. Maharashtra State Cooperative Cotton Growers Marketing
Federation Ltd. Nagpur and another)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. A.R.Patil, Advocate for petitioner.
Mr. A.W.Paunikar, Advocate for respondent No.1.
Mr. A.A.Madiwale, AGP for respondent No.2.

CORAM : SIDDHESHWAR S. THOMBRE, J.
NOVEMBER 10, 2025

- 1) Heard learned counsel for the respective parties.
- 2) The petition is an exception to the order below Exh.1 dated 24/10/2018 passed by the learned Industrial Court, Nagpur in Complaint (ULP) No.320/2011 whereby the complaint filed by the petitioner came to be dismissed.
- 3) Learned counsel for the petitioner submitted that the learned Industrial Court failed to consider the order passed by this Court in Writ Petition No.240/2015 dated 13/07/2016, whereby this Court had set aside the order dated 22/01/2014 passed in Complaint (ULP) No.320/2011, in earlier round of litigation.
- 4) This Court while setting aside the order in Complaint (ULP) No.320/2011 has observed in para 6 which reads as follows :-

"6. It is also to be noted that in the complaint in paragraph No.6 it was the specific case of the petitioner that the inquiry proceedings were vitiated on the count of breach of principles of natural justice. This fact was

denied by the respondent. However, no issue came to be framed by the Tribunal in that regard. This is one more aspect that has vitiated the impugned judgment."

- 5) I have gone through the order passed by the learned Industrial Court which reveals that there was specific reference of the order passed by this Court in Writ Petition No.240/2015, but unfortunately, Industrial Court had not considered the same. It was not expected on the part of the Industrial Court not to consider the order passed by this Court in Writ Petition No.240/2015.
- 6) In view thereof, the petition is partly allowed. The impugned order dated 24/10/2018 below Exh.1 passed by Industrial Court, Nagpur in Complaint(ULP)No.320/2011 is hereby quashed and set aside. The Complaint(ULP)No.320/2011 is restored to its original position.
- 7) Learned Industrial Court to decide the Complaint in view of the order passed by this Court in Writ Petition No.240/2015.

(SIDDHESHWAR S. THOMBRE, J.)