



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

WRIT PETITION NO. 896 OF 2024

(Rajendra Sambhaji Bhajne vs. Zilla Parishad Gadchiroli and others)

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

Court's or Judge's order

Mr. R.K.Maheshwari, Advocate for petitioner.
Mr. A.W.Paunikar, Advocate for respondent Nos. 1 and 2.

CORAM : SIDDHESHWAR S. THOMBRE, J.
OCTOBER 09, 2025

- 1) Heard learned counsel for both the parties.
- 2) Learned counsel for the petitioner would submit that the petitioner was appointed in the year 1996 and he continuously worked with the Zilla Parishad Higher Primary School of Boys at Chop and thereafter his services were discontinued. He approached to the Labour Court by filing Complaint (ULP) No.18/2016. Learned Labour Court, Chandrapur vide its order dated 14/03/2019 dismissed the complaint on the ground that the petitioner failed to submit any document showing that there was a sanctioned post available with the said School. He further contended that there was no record showing that petitioner was appointed either by the Zilla Parishad or any authority to work with the said School. After considering the evidence, learned Labour Court held that the petitioner failed to make out case and thus complaint came to be dismissed.

Being aggrieved by the same, he filed Revision under
Section 44 of the Maharashtra Recognition of Trade Union and

Prevention of Unfair Labour Practices Act, 1971 and the same has been dismissed by the Industrial Court.

3) The petitioner contended that when the proceeding was filed before the Labour Court, the petitioner failed to submit the letter issued by the Tahsildar, whereby he was deputed on election duty as well as other record which substantially proved that he had worked with the Zilla Parishad, and first time he placed the said record in present writ petition. Hence, he prayed to remand the matter back to the Labour Court to decide it afresh by giving him an opportunity to prove his case.

4) Per contra learned counsel for the respondent Zilla Parishad pointed out that the petitioner failed to prove that he was appointed by the Zilla Parishad or by any authority with the said School, therefore, learned Labour Court has rightly dismissed the complaint.

5) He further contended that there was no sanctioned post available with the Zilla Parishad, so as to appoint petitioner in the said School and supported the order passed by the learned Judge Labour Court as well as Industrial Court, he submits that the documents placed on record by the petitioner along with present writ petition are in fact a forged. The Headmaster had given a certificate that no such document was ever issued by the authorities concerned. He disputed the documents which are placed by the petitioner in the present writ petition.

6) Having gone through the contentions raised by both the parties and after going through the order passed by the learned Labour Court as well as Industrial Court.

7) In view of the fact that the petitioner in writ petition placed some record pointing out that he had worked with the

Zilla Parishad for some period. Therefore, to meet the ends of justice and to give one more opportunity to the petitioner to prove his case, the order passed by the Judge, Labour Court is hereby set aside. Consequently, order in Revision is also set aside and the matter is remanded back to the Labour Court.

8) It is made clear that this Court has not observed anything on the record's submitted by the petitioner as well as respondent. It is for the concerned Court to verify all those record and decide the matter on its own merit.

9) In view of above, the writ petition is partly allowed. The order dated 14/03/2019 passed by Labour Court in Complaint (ULP) No. 18/2016 and the order dated 11/08/2023 passed by Member Industrial Court in Revision (ULP) No.07/2019 are hereby quashed and set aside.

10) The parties to appear before the learned Labour Court on 06/11/2025. Learned Labour Court to decide the complaint within a period of one year.

(SIDDHESHWAR S. THOMBRE, J.)