



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

WRIT PETITION NO.5790 OF 2025

COMMISSIONER, NAGPUR MUNICIPAL CORPORATION, NAGPUR
AND ANOTHER
VERSUS
DISHANT S/O. JAGDISH PENDAM AND OTHERS

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. J.B. Kasat, Advocate for Petitioners.

Mr. VP. Marpakwar, Advocate for Caveators/Respondents.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 30th SEPTEMBER 2025

1. Heard learned Advocate for the petitioners.
2. The petitioners' challenge is to the order dated 27.02.2025, passed by Industrial Court No.1, Nagpur, on an application under Section 30(2) of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971, by which the petitioners have been restrained from terminating the services of the employees working on the post of fireman/rescuer without following due process of law till final decision of complaint.
3. Learned Advocate for the petitioners submits that, in the impugned order, findings are recorded in paragraph 26, about *prima facie* engagement of the petitioners in unfair labour practices.
4. There is no dispute that the respondents employees are working as on today. The impugned order is an interim order passed by the Industrial Court, in a complaint case, which is pending at the

stage of evidence and therefore, it is desirable that the main complaint itself is directed to be decided on merits so that rights of the parties are finally adjudicated.

5. Mr. V.P. Marpakwar, who appears on caveat, also does not dispute the position that the main complaint is at the stage of evidence.

6. Having regard to this fact, no interference is required at this stage in the impugned order and therefore, writ petition is dismissed. However, Industrial Court No.1, Nagpur, is directed to decide the complaint on merits without being influenced by the findings recorded in paragraph 26 of the impugned order.

7. Considering the nature of controversy before the Industrial Court, Industrial Court No.1, Nagpur, is directed to decide the complaint finally within a period of four months from today.

(PRAFULLA S. KHUBALKAR, J.)

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