



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

WRIT PETITION NO. 5464 OF 2024

(Samadhan S/o Madhusudan Shinde vs. The Akola District Central Co-operative Bank Limited)

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

Court's or Judge's order

Mr. D. S. Kanwale, Advocate for petitioner.
Mr. P. C. Marpakwar, Advocate for respondent.

CORAM : SIDDHESHWAR S. THOMBRE, J.
OCTOBER 17, 2025

- 1) The petitioner assailed the order dated 14/08/2023, passed by Industrial Court, Akola in Complaint (ULP) No.57/2019, whereby the Industrial Court dismissed the complaint.
- 2) Learned counsel for the petitioner would submit that the findings recorded by the Industrial Court regarding the employer-employee relationship is contrary to the record and therefore, it is necessary to remand the matter to the Industrial Court for deciding it afresh on merits.
- 3) I have gone through the order passed by the learned Industrial Court wherein, it had wrongly recorded the negative findings regarding the employer-employee relationship. The petitioner is Workman and there exist employee and employer relationship between the petitioner and respondent and thus the complaint before learned Industrial Court was maintainable.
- 4) In view of above, the writ petition is partly allowed. The order dated 14/08/2023, passed by Industrial Court, Akola in Complaint (ULP) No.57/2019 is hereby quashed and set aside

and Complaint (ULP) No.57/2019 is restored to its original position.

- 5) Industrial Court shall give an opportunity of hearing to all the parties and pass an appropriate order in accordance with the law and decide the matter within six months.

(SIDDHESHWAR S. THOMBRE, J.)