



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

WRIT PETITION NO. 1936 OF 2024

Rajendra Ramkrishna Metkar

.Vs.

Chief Executive Officer, through Zilla Parishad Amravati

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr. S.W. Sambre, Advocate for the petitioner.

Mr. S.S. Shinde, Advocate for the respondent.

CORAM : SACHIN S. DESHMUKH, J.

DATE : 25/08/2025

The petitioner raises an exception to the order dated 11.07.2023 in complaint (ULP) No.91/2013 rendered by the Industrial Court, Amravati Bench, Amravati dismissing the complaint.

2. The solitary ground of challenge is to the order rendered by the Industrial Court no reasons have been assigned in support of conclusions, those are rendered in the order impugned in relation to the enquiry being fair and proper.

3. Learned counsel for the respondent has attempted to justify the order under challenge by raising the ground of maintainability of the petition on the premise that the complaint presented by the petitioner is awaiting adjudication before the Industrial Court and the present petition at this stage is premature.

4. Heard learned counsel for the litigating sides.

5. Perusal of the order rendered by the Industrial Court nowhere reveals the reasons for rendering the conclusions by the Learned Judge Industrial Court while arriving at decision. The only finding rendered by the Industrial Court is that the enquiry conducted against the complainant is fair and proper. The findings of enquiry officer are not perverse. However, in no manner those are dilated at all. At this juncture, it would be necessary to make a reference of the judgment of the Apex Court in case of ***Kranti Associates Private Limited and another Vs. Masood Ahmed Khan and ors.*** reported at ***(2010) 9 SCC page 496*** wherein the Apex Court has restated that the principle of recording the reason in support of its conclusion. Insistence for recording the reason which is meant to serve wider principle of justice that justice must not only be done, it must also appear to be done as well. Therefore, the recording of reasons also operates as a valid restraint on any possible arbitrary exercise of judicial and quasi-judicial or even administrative power. The need for recording reasons assures that the discretion has been exercised on relevant ground, by discarding the irrelevant consideration. Nevertheless the reason in support of decision must be cogent, clear and sustainable. Thus, in absence of reasons in support of conclusion, the order under challenge is unsustainable.

6. In the light of the same, the petition is partly allowed.

7. The order dated 11.07.2023 in complaint (ULP) No.91/2013 rendered by the Industrial Court is quashed and set aside.

8. The matter is remitted to the Industrial Court for decision afresh.

9. With these observations, the petition is partly allowed and disposed of. No order as to costs.

(SACHIN S. DESHMUKH, J.)

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