



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

WRIT PETITION NO. 8330 OF 2025

1. Prabhat Arogya Shikshan Sanstha, Regd. No.836, Chandur Rly. Dist. Amravati. Through its President, Krantisagar P. Dhole, Age: 46 years, R/o Dhole Complex, Chandur Rly., Tq. Chandur Rly, Dist.Amravati.
2. Prabhat Vidyalaya Wadgaon (Rajdi), Tq. Dhamangaon R.S. Dist. Amravati, Through its Headmaster Ramchandra Shamrao Shikhare, Aged 57 years, R/o Sarafa Line, Tiosa, Tq. Tiosa, District Amravati.

PETITIONERS

VERSUS

1. Vijay Shankarrao Kshirsagar, Aged 46 years, Occ: Service, R/o Near Ram Mandir, Chandur Rly., Tq. Chandur Rly., District Amravati-444904.
2. The Education Officer (Secondary), Zilla Parishad, Amravati.

RESPONDENTS

Shri A.P. Chaware, counsel for the petitioners.
Shri A.S. Shukla, counsel for the respondent no.1.
Shri S.C. Joshi, Assistant Government Pleader for the respondent no.2.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : FEBRUARY 12, 2026

ORAL JUDGMENT

RULE. Rule made returnable forthwith. Heard finally with consent of the learned counsel for the parties.

2. By this petition, the petitioners have challenged the order dated 06.05.2025 passed by the Industrial Court, Amravati on application at Exhibit U-8 filed by the respondent no.1-Employee and directed the petitioner-Management to produce several documents on record.

3. The respondent no.1-Employee has filed Complaint U.L.P. No.47 of 2012 under Section 28 read with Section 30 of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 (for short, 'the Act of 1971') seeking regularization of his services and grant of benefit of permanency as claimed in the complaint. The Management filed its written statement and the parties led evidence. The respondent no.1-Employee had filed an application at Exhibit U-8 for direction to the petitioner-Management to produce several documents including muster rolls, salary register, seniority list, etc. with respect to the employees by contending that the documents are in the custody of the Management and are necessary for complete adjudication of the controversy involved in the complaint. Having found the necessity for production of the documents mentioned in the list, the Industrial Court allowed the said application by order dated 06.05.2025 which is subjected to challenge by the petitioner-Management by way of instant petition.

4. The primary contention canvassed on behalf of the petitioners is that the application was although filed by the respondent no.1-Employee in 2013, however the same was pressed by him only at the stage of final arguments in the complaint and as such, the direction to produce the documents was an attempt to prolong the proceedings. He also submitted that the conduct of the respondent no.1-Employee throughout the proceedings in not prosecuting the said application, disentitle him to claim any relief in that regard at the stage of judgment.

5. It has to be seen that the complaint is filed by the respondent no.1-Employee seeking regularization and permanency by claiming that he was appointed as Laboratory Attendant *vide* appointment order dated 01.04.2000 and has continuously worked for so many years and became entitled for regularization and grant of benefits of permanency. The respondent no.1-Employee had already filed the application at Exhibit U-8 on 01.10.2013 for appropriate directions to the petitioner-Management to produce the documents mentioned in the application including muster roll of all the employees, salary register of the employees, seniority list of the employees and several other documents. The application was not decided for long time and thus the respondent no.1-Employee was entitled to press for the said application for decision. It has to be noted that the application was not rejected and therefore, the contentions of counsel for the petitioner-Management that the application cannot be considered at the stage of final arguments are not acceptable. Pertinent to note, the documents demanded by the employee are in the custody of the Management and the documents appear relevant for deciding the controversy.

6. While considering the controversy with respect to the application for direction to produce the documents, the Industrial Court has categorically observed that the respondents therein being the Institution must be in possession of the said documents and the documents are necessary for deciding the controversy in question. Even a perusal of the list of documents directed to be produced clearly shows that the documents are vital for deciding the actual controversy involved in the case. Since the

Management is in custody of those documents, the Industrial Court has rightly directed it to produce the documents.

7. A perusal of the impugned order shows that there is no perversity with the impugned order requiring any indulgence under Article 227 of the Constitution of India. The writ petition therefore fails and is dismissed with no order as to costs. Rule stands discharged.

(PRAFULLA S. KHUBALKAR, J.)

APTE