

**BEFORE SHRI S.B. PARATE, MEMBER,**  
**INDUSTRIAL COURT, AT MUMBAI.**  
**Complaint (ULP)No.225 of 2023.**  
**(CNR No. MHIC01-001287-2023)**

Maharashtra Rajya Co-operative  
Credit Society Employees Union,  
81/83,Shalini Palance,  
Bhavani Shankar Road, Dadar(W),  
Mumbai-400 028. ... Complainant.

V/s.

1. The Maharashtra Mantralaya  
Co-operative Credit Society Ltd.
2. Ramesh Daulat Lavhande,  
Chairman,  
The Maharashtra Mantralaya  
Co-operative Credit Society Ltd.
3. Shashikant Hasha Sakharkar,  
Secretary,  
The Maharashtra Mantralaya  
Co-operative Credit Society Ltd.

**All at-** Akashwani Aamdar Niwas,  
Ground floor, H.T.Parekh Marg,  
Mantralaya,Mumbai-400 032. ... Respondents.

**ADINTERIM ORDER (Below Exhibit U-2)**  
**( 03.10.2023 )**

**01.** The present Complaint is filed on behalf of the employees by the Union against the Respondent No.1 Co-operative Credit Society Limited and Respondent Nos.2 and 3, Chairman and Secretary of the Respondent No.1 Credit Society, under items 1(a), 4(a), 4(f) of Sch.II and items 9 and 10 of Sch.IV of the MRTU & PULP Act, 1971.

**02.** The allegations made by the Complainant Union against the Respondents are that the Respondents are harassing the employees who are enrolled with the Complainant Union.

Further allegation is that they are going to implement a new staffing pattern and service rules being arbitrarily and unilaterally finalized without the consultation of the Complainant Union and hence they are bad-in-law. In the Complaint, the reliefs sought are for restraining the Respondents from committing the alleged unfair labour practice and to quash and set aside the staffing pattern and the service rules.

**03.**            In the Application at Exhibit U-2, the Complainant Union prayed to- (i) stay the effect and implementation of the staffing pattern and services; (ii) restrain the Respondents from punishing and discharging the services of any of the members of the Complainant union; (iii) direct the Respondents to adopt the check-off system in the matter of membership subscription of the members of the Complainant Union; and (iv) direct the Respondents to implement the provisions of Section 73 AAA of the MCS Act by inviting the members of the Complainant Union on the Board of Directors.

**04.**            Heard Ld. Advocate Shri A.S. Peerzada for the Complainant Union and Ld. Advocate Shri Chetan Jaiswal for the Respondents.

**05.**            Ld. Advocate for the Complainant Union submitted that if the Respondents are not restrained, they would change the service conditions of the members of the Complainant Union.

**06.**            On the other hand, Ld. Advocate for the Respondents submitted that during the interim period, necessary order on the staffing pattern and service rules can be passed by this Court.

**07.**            In view of the submissions, interim order can be passed on the implementation of the staffing pattern and service rules and restraining the Respondents from dismissing or discharging any of the members of the Complainant Union. As far as other two prayers are concerned, those cannot be considered in the facts and circumstances of the case. Hence, I pass the following Order:-

**ORDER**

*i) The effect and implementation of the staffing pattern and the service rules is stayed till the disposal of the Interim Relief Application.*

*ii) The Respondents are restraining from dismissing or discharging any of the members of the Complainant Union without following due process of law, till the disposal of the Interim Relief Application.*

*Date:-03.10.2023.*

*(S.B. PARATE)  
Member,  
Industrial Court, Mumbai*

Skn/-