CNR-MHIC04001552023

IN THE INDUSTRIAL COURT OF MAHARASHTRA AT THANE
COMPLAINT (ULP) NO. 78 OF 2023

Mr. Suresh Gupta & 12 Ors. ... Complainants

V/s.
M/s. Shri Ganesh Vyapar Udyog
and Ors. ... Respondents

-: AD-INTERIM ORDER BELOW EXH.U-2 :-
(Passed on 21.04.2023)

1. The complainant Shri Suresh Gupta filed this complaint for himself and 12 other persons under items 9 and 10 of Schedule IV of the MRTU & PULP Act, 1971. He stated that they are the employees of respondent no. 1 Shri Ganesh Vyapar Udyog and the respondent no. 2 M/s. Sun Acryllic Pvt. Ltd. The respondents no. 1 and 2 are two establishments working in same premises and the respondent no. 3 is the director of both. The respondent no. 3 is trying to dispose of the assets of the company by selling machineries and other materials and he is not paying the legal dues of the employees who are working for 8 to 25 years.

2. The complainant submitted that if whole of the machineries and other materials are shifted and disposed of by the respondent no. 3, then they will suffer heavy loss and they will not able to recover their legal dues.

3. The counsel for the complainants submitted that till the legal dues are paid, the respondents no. 1 to 3 are restrained

from shifting the plant and machinery and other articles from the premises of the respondents no. 1 and 2 companies situated at Village Achhad, Taluka Talasari, Dist. Palghar.

3. I perused the documents filed on record. The whole of the machineries are dismantled and kept in the premises, this fact is appearing in the photograph. Two companies M/s. Shri Ganesh Vyapar Udyog and M/s. Sun Acryllic Pvt. Ltd., they are having same address and Shri Jay Mehata is the director of both companies. If the plant and machineries are shifted, then employees will suffer irreparable loss. Hence, ad-interim order restraining the respondents to shift plant and machineries and other materials from the premises of the respondents no. 1 and 2 company is required to be issued against the respondents. So I proceed to pass the following order.

ORDER

1. The respondents no. 1 to 3 are restrained from shifting plant, machineries, scrap and other materials from Plot No. 33-35, Achhad Industrial Estate, Village Achhad, Taluka Talasari, Dist. Palghar till appearance of the respondents.
2. Issue show cause notice to respondents asking them why ad-interim order should not be confirmed till final disposal of the complaint, r/o. 02.05.2023.

Sd/-
(M. S. GANORKAR)
Member,
Industrial Court, Thane

Place : Thane.
Date : 21/04/2023
Rsr/T.O.21.04.23.