BEFORE SHRI S. Z. SONBHADRE
MEMBER INDUSTRIAL COURT AT THANE MAHARASHTRA

Complaint (ULP) No.- 175 of 2023
(CNR No.- MH IC 04 000 334 2023)

Exhibit – O - 4

Shri. Aktar Habib Tadvi
Aged :- 37 Years, Occupation : Service,
Address : Room No. 403, 4th Floor,
Chauhan Apt., Behind Mcdonald's Shop,
Nalasopara (W) – 401 203. - ***Complainant***

: Versus :

01. Depot Manager,
Maharashtra State Road
Transport Corporation
Nalasopara Depot. Palghar Division,
Palghar, Dist. - Palghar.

02. The Divisional Controller
Maharashtra State Road
Transport Corporation,
Palghar Division, Palghar, Dist. - Palghar. - ***Respondents***

Coram :- Shri. S. Z. Sonbhadre, Member Industrial Court Thane

Appearances :- Smt. Chitra Gharat, Ld. Adv. For Complainant.
Smt. Amruta Patil, Ld. Adv. For Respondents.

-: **ORDER BELOW EXH.- U-1** :-

(Delivered on 9th January, 2026)

This Complaint in this Complaint, has challenged the Punishment Order, which is imposed upon the Complainant, after conducting inquiry. As such, it is necessary to decide the issue of Fairness of Inquiry and the Findings of the Inquiry Officer as Preliminary Issues. Accordingly, issues framed at Exh.- O-3, are re-casted as under :-

-: *I S S U E S* :-

1. Whether the Complainant proves that the Inquiry conducted against the Complainant is Not Fair, Proper and is Against The Principles Of Natural Justice ?

2. Whether the Complainant proves that the Findings of the Inquiry Officer are Perverse and are Not Supported by the Material Available On Record ?

3. Whether the Respondent proves Charges of Misconduct against the Complainant Workman, before the Court ?

4. Whether the Complainant proves that, Punishment awarded to the Complainant, is shockingly disproportionate ?

5. Whether the Complainant prove that the Respondents have committed Unfair Labour Practices under Items 5 & 9 of Schedule - IV of the MRTU & PULP Act, 1971 ?

6. Whether Complainant is entitled for reliefs, as prayed for ?

7. What Order ?

Note :- Issue No.- 1 & 2, in respect of the Fairness of Inquiry and the Perversity of Findings of Inquiry Officer, shall be decided on the basis of Original Inquiry Papers, to be produced by the Respondents, without permitting the parties, to adduce any additional evidence on it.

INDUSTRIAL COURT MAHARASHTRA

Digitally signed by
SATISH ZAMUSAO
SONBHADRE
Date: 2026.01.09
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Date :-
09-01-2026.
Place :- Thane.

(S. Z. Sonbhadre)
Member
Industrial Court, Thane

ppk/-