

BEFORE THE MEMBER, INDUSTRIAL COURT NO.1,
MAHARASHTRA AT KOLHAPUR.

Exh. O-

Comp.(ULP)No. 93/2021
(CNR No. MHIC09-000265-2021)

Prakash Shankar Chikhalkar

V/s

Deputy Conservator of Forest Kolhapur

: ORDER BELOW EXH. U-9 :
(Dated :- 14.09.2023)

1. The Complainant has filed the present application for direction to the respondents to produce the documents as follows :
 - a) Attendance muster and salary sheet for the year 1991 to 2002
 - b) Attendance muster and salary vouchers for the year 2019 to 2023
2. It is contended that the said documents are necessary to demonstrate that the Complainant has completed 240 days in employment with the respondent.
3. The application is opposed by the respondent by giving say vide Exh.C-4. It is contended that the Complainant has filed affidavit in lieu of examination in chief and at this later stage, the present application is filed demanding documents from the respondent. Thus, the application is liable to be rejected.

4. The Ld. Counsels for the litigating parties have canvassed their oral arguments in support of their respective contentions. Heard Ld. Counsels and perused the papers. The present complaint is filed with a prayer to grant permanency on completion of 240 days along with consequential benefits. Therefore, it is expedient to demonstrate the service rendered by the Complainant with the respondent. It is not disputed that even if an employee is continued in employment on daily wages, such record is maintained to calculate the emoluments, therefore, the respondent can very well produce such record. Hence, the application is liable to be allowed. Hence, the following order is passed :

: ORDER :

- 1) The application is allowed.
- 2) The respondent is directed to produce on record the documents as demanded by Complainant within a period of 14 days from today.
- 3) In case no such documents are produced on record within the specified period, adverse inference shall be drawn against the respondent.

Kolhapur.

Date : 14.09.2023.

RSS/-

(S. S. Khandekar)
Member,
Industrial Court No.1, Kolhapur.