

**BEFORE THE MEMBER INDUSTRIAL COURT, MAH., AT  
SANGLI**

**Complaint (ULP) No.02 OF 2021**

Shri Balaso Santu Mali ..Complainant  
V/s  
Nagar Panchayat Kawathe Mahankal,  
Tal. : Kawathe Mahankal,  
Dist. : Sangli. ..Respondent

**Order Below Ex.U-8**  
(Date : 25<sup>th</sup> April 2024)

This application is filed by complainant calling documents from respondent with respect to leave record pertaining to the complainant. According to complainant, the leave record is being maintained by respondent No.1 Nagar Panchayat Kavathe Mahanakal and the said record is essential to decide the present matter.

2. The respondent No.1 has filed say on this application stating that the say filed on **Ex.C-6** be treated as say to this application. On perusal of say filed on Ex.C-6 it appears that according to respondent said record is not available with the respondent Nagar Panchayat since the said Nagar Panchayat came into existence on 16/03/2016 and therefore such record is not available. Hence the application be rejected. The respondent also stated in the say at Ex.C-6 that appointment of the

complainant to the sanctioned post was made on 31/03/2012 and therefore there is no question to maintain his leave record. On perusal of pleadings of the complaint he has stated that after formation of Nagar Panchayat the Divisional Commissioner, Pune absorbed the complainant in the sanctioned post by order in writing on 31/03/2008 in the pay scale. He also claimed that he is regulated by the provisions of Maharashtra Civil Service Regulations (Pension) Rules. Therefore, under what provisions the complainant is making claim of leave salary is not clear in the complaint and the respondent cannot be insisted upon to produce the leave record pertaining old period. However, the respondent can certainly produce available record in the court. Therefore, following order is passed.

### **Order**

- (i) The respondent No.1 is directed to produce available leave record of the complainant on or before next date.
- (ii) Dictated and pronounced in the Open Court.

Sangli.

Date : 25<sup>th</sup> April 2024.

(D.M. Patil)  
Member,  
Industrial Court, Sangli