

Resumed on S.A. (12.08.2025)

Cross Examination by Adv Shri. S.R. Rane for the opponent No.3 :

18. I have not filed on record any authority letter or resolution authorizing me to depose on behalf of the applicant. It is true to say that as per the constitution of the applicant union, the post of President and General Secretary cannot be held by one person simultaneously. It is not true to say that currently I am neither the President nor the General Secretary of the applicant union. It is not true to say that I do not have any documentary evidence to show that I am office bearer of the applicant union. It is true to say that the opponent No.1 is still in existence. It is true to say that the opponent No.3 is a company registered under the Companies Act. It is true to say that the opponent No.1 is a co-operative society registered under The Maharashtra Co-operative Societies Act, 1960. It is not true to say that the Complaint (ULP) No.194/2014 was filed by the applicant union in collusion with the present opponent No.1. It is not true to say that the opponent No.3 has never taken over the ongoing concern or business of the opponent No.1. It is true to say that the opponent No.3 has deposited amount of Rs.8,34,979/- which is agreeable to said opponent in Complaint (ULP) No.194/2014. It is not true to say that the opponent No.3 is not responsible to pay dues of the concerned workmen prior to 8.9.2014.

19. It is true to say that I have knowledge about the address and phone number of the Advocate appointed by the

applicant union in Complaint (ULP) No.194/2014. It is true to say that I was in constant touch with the said Advocate in relation to Complaint (ULP) No.194/2014 as well as other legal matters. The crushing season of the opponent No.1 sugar factory generally continues for 4 to 5 months. It is true to say that there have been negotiations and settlements between the applicant union and opponent No.3 from time to time. It is true to say that the industrial relations between the applicant union and opponent No.3 have been peaceful and harmonious. The number of office bearers of the applicant union is 13. It is not true to say that only because of the negligence of the applicant union and its office bearers, the applicant union failed to adduce evidence in Complaint (ULP) No.194/2014. It is not true to say that the applicant union is not entitled to any reliefs sought in this application.

20. It is not true to say that the contents of para No.3 to 14 of my affidavit are totally irrelevant to this application and they are false. It is true to say that there are various departments in the sugar factory presently run by the opponent No.3. It is true to say that there are permanent as well as seasonal workers in the said factory. It is not true to say that the contents of the application are false and I am deposing falsely to help the applicant.

CROSS EXAMINATION COMPLETED

NO RE-EXAMINATION

R.O.A.C.

Place : Sangli
Date : 12.08.2025

(R.V. Utpat)
Member, Industrial Court, Sangli.