

BEFORE THE MEMBER INDUSTRIAL COURT, MAH., AT SANGLI

Complaint (ULP) No.44 Of 2019

Shri Namdev Krushna Jagtap	..Complainant
V/s	
Vasantdada Shetkari Sahakari Sakhar Karkhana Ltd.,	..Respondent

Order Below Ex.C-31

(Date : 4th March 2025)

This application is filed for calling documents from other proceedings of Comp.(ULP) No.52/2008, Ref.(IC) No.01/2013, Apln. (ESI) No.03/2011, 01/2012, Comp.(ULP) No.75/2011 and 02/2012. According to respondent these documents are relevant to the alleged claims of the complainant for the period 2004 to 2013 and as these matters were disposed of the record thereof is with this court. Therefore, it is prayed that said matters may called from the record and be tagged alongwith present complaint and other related identical complaints.

2. The application is opposed by the complainant stating that documents are not relevant, hence be rejected. Heard the learned advocates for parties. It is pertinent to note that complaint is pending since last about 5 years. The proceedings which are prayed to be called are pertaining to the year 2008 to 2012 and these are different proceedings under MRTU & PULP Act, 1971, Industrial Disputes Act,

1947 and Employees State Insurance Act, 1948. The respondent failed to mention in the application as to how these proceedings are relevant to the present matter. The application is also silent about how these proceedings were not within the knowledge of respondent earlier.

3. It is pertinent to note that the respondent has filed documents earlier in this proceeding. However, on bare perusal of the documents produced therein it can be seen that in all these proceedings the respondent karkhana was party. Therefore, it cannot be believed that the respondent has now come to know about these proceedings. It is also required to be noted that complainant has led his evidence. The matter has been kept for cross-examination but the respondent failed to take cross-examination and just taken adjournments after adjournment. It is pertinent to note that High Court has disposed of Writ Petition No.724/2025 which was filed against the rejection of amendment application by the respondent. Therefore, from the record itself it appears that the respondent is engaged in dilatory tactics and prolonging the matter for one reason or other. Considering the record, this application is also appears to be another effort to drag the matter.

4. For the reasons recorded above the application found to be devoid of merit. Hence it is required to be rejected. I therefore proceed to pass following order.

..3..

Order

Application stands rejected.

Sangli.

Date : 4th March 2025.

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