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**IN THE INDUSTRIAL COURT, MAHARASHTRA,
AT SATARA.**

[Presided over by Sham V. Suryawanshi, Member JO Code
1732]

COMPLAINT (ULP)NO.8/2026

M/s. BSA Corporation Ltd. . Complainant.

V/s.

Mr. Anil Motiram Chavan and

ors. . Respondents.

Appearances : *Nirma Pralhad Pisal, Advocate for the
complainant.*

*Shri .U. B. Jadhav, advocate for the
Respondents.*

COMMON ORDER BELOW EXH.C-2 & U-3

[Delivered on 20th February, 2026]

(1) Complainant company has filed this complaint against 32 individual workers contending interalia that they have committed unfair labour practice under items 2(a), 2(b), 5 and 6 of Sch.III of MRTU & PULP Act, 1971. As per Complainant, all the Respondents are its employees.

Complainant company is engaged in the business of supplying of manpower on contract basis. Inoxpa India Private Limited is a company, which is engaged in the business of manufacturing of centrifugal pumps. Said company has entered into contracts with the Complainant on 01.01.2013 and 29.08.2013 for supply of manpower. Accordingly, since 2013 Complainant has deputed 32 employees at the factory of Inoxpa India Private Limited which is situated within the jurisdiction of this Court. The Complainant has duly paid salaries and complied all the provisions of various Acts in respect of Respondent employees.

(2) All of a sudden the Respondents have submitted their demands to the Complainant. Complainant has suspended some of the employees under the provisions of law. One of the employee has been transferred to some other place where the Complainant is having valid contract. However, the Respondents have raised various demands like lunch facility, cancellation of suspension, change in shift timing as well as wage rise. Complainant was and is ready to settle those demands amicably in conciliation. However, the Respondents are not ready for settlement. Respondents are

coming to the factory by using vehicle provided by the Complainant. They are making necessary punching and entering into the premises. However, they are not performing work as per directions given by the Complainant.

(3) Since 10.12.2025 it is observed that the Respondents are insisting other workers also to not to perform work. Complainant has requested all the Respondents to join their duties and perform their work. However, the Respondents are not co-operating. They are adamant. Inoxpa India Private Limited has warned the Complainant regarding termination of contract / agreement. Respondents are sitting outside the premises of the factory due to which serious problems are caused for the smooth movement of man and material. Thus, the Respondents are on illegal strike. There are incidents of police complaint also due to illegal activities of the Respondents. Complainant came to know that the Respondents will start their agitations including gherao, slogans and prevention of man and material at the factory premises. All these acts on the part of the Respondents are amounting to unfair labour practice under

items 2(a), 2(b), 5 and 6 of Sch.III of MRTU & PULP Act, 1971.

Therefore, the Complainant has filed this complaint.

(4) By way of interim relief application Complainant has prayed for direction against the Respondents to not perform their demonstration, dharana, slogans within 1000 mtrs radius from the factory premises.

(5) Notice of the complaint was duly served upon the Respondents. Respondents appeared through advocate and filed separate application below Exh.U-3 wherein the Respondents have stated that they are working with the Complainant from the year 2011. Their entire service record is clean and unblemished. They have not stopped performing their work voluntarily from 10.12.2025. Only because Respondents raised demands through union, Complainant has stopped giving work to the Respondents. Complainant has stopped bus service from Pune w.e.f. 09.01.2026 and deprived the Respondents from joining at the workplace. They have never performed any kind of gherao or agitations. They have never obstructed movement of man or machinery. With these the Respondents prayed that the Complainant be directed to

restart bus facility as before and to give work to the Respondents along with their wages for the idle period.

(6) Complainant has opposed this application stating that if the workers are ready to give undertaking then only Complainant will send those employees at various other locations as per regulations. Respondents have not filed any separate reply to the interim relief application filed by the Complainant.

(7) Heard the Advocates for the parties. Perused record and proceedings. Following points arise for my consideration to which I record my findings along with reasons as under:

<u>POINTS</u>	<u>FINDINGS</u>
1) Whether the Complainant has made out prima facie case?	Partly Yes.
2) Whether the balance of convenience lies in favour of the Complainant ?	As per final order.
3) To whom irreparable loss would be caused if interim relief is not granted ?	As per final order
4) What Order?	As given below.

REASONS

(8) **As to Point Nos.1 to 3:** All the points are interlinked and depending upon each other. Hence, I am taking all the points for simultaneous consideration.

(9) From bare perusal of the complaint and the application filed by the Respondents few things are clear that the Respondents are working with the Complainant from last several years. Complainant has supplied labours on contract basis to Inoxpa India Private Limited where the Respondents are working for years together. As per the Complainant Respondents have started agitations and illegal strike. Respondents have obstructed the movement of man and machinery. Therefore, the Complainant is compelled to file the present complaint. To the contrary, the Respondents have stated that they have not declared any strike. They are not engaged in any kind of agitations. They were and are ready to perform their work, provided bus service is resumed by the Complainant. To the contrary, Complainant is seeking undertaking from the Respondents. The, disputed aspects of the present dispute i.e. whether the Respondents have really initiated any kind of agitations or illegal activities like dharna

or obstructing other employees or obstructing movement of man and machinery can be decided at the time of final adjudication. However, what is emerging out of the rival pleadings and the submissions advanced by both the parties is that the Respondents are ready to perform their work peacefully. Under such circumstances, there is no need to impose condition of giving any kind of undertaking. At the same time since it is not disputed that the main business of the Complainant is to supply workers on contract basis and Respondents were working on contract with Inoxpa India Private Limited, it would not be proper to insist the Complainant to provide the work with the same company to the Respondents. At the same time it cannot be ignored that due to continuous service as mentioned by the Complainant right from the year 2013 till date, the Respondents might have acquired certain legal rights. Hence, without prejudice to the rights acquired by the Respondents due to their continuous service with the Complainant at Inoxpa India Private Limited, it would be just and proper to direct the Complainant to provide the work to the Respondents. Thus, the Complainant has made out strong prima facie case. Balance of convenience lies

in favour of the Complainant. There is possibility of irreparable loss to both the parties if the interim relief is not granted.

Hence, I pass following order.

ORDER

- 1] Applications Exh.C-2 and U-3 are partly allowed.
- 2) Complainant is temporarily directed to provide work to the Respondents.
- 3) Respondents to maintain peace and harmony by not obstructing the movement of man and machinery by not indulging into any kind of demonstration, dharana, slogans etc.

Place :- Satara..

Dated :- 20/02/2026

[SHAM V. SURYAWANSHI]
Member,
Industrial Court, Satara