

MHIC110000812017



**BEFORE THE MEMBER, INDUSTRIAL COURT**  
**MAHARASHTRA AT SATARA.**

Complaint (ULP)No.24/2017

Shri. Engineering Kamgar Sangh,  
Pune. . Complainant

V/s.  
Godrej & Boyce Manufacturing  
Co. Ltd. And anr. . Respondents

Coram: S. V. Suryawanshi, Member J.O. Code 1732.

**ORDER BELOW EXH.U-35**  
( 30.08.2024 )

1) Complainant has filed this application for production of documents as mentioned at Sr.No.1 to 8 of the application. As per Complainant, all these documents are in the custody of the Respondent No.1 company and the Respondent No.2. Complainant has filed xerox copies of these documents. However, the Respondents have denied those documents. Therefore, the Respondents should produce those documents since those documents are necessary and relevant for efficacious remedy to the Complainant. Respondents have filed reply to this

application and strongly objected the application filed by the Complainant.

2) Heard both the advocates. Perused record and proceeding. This complaint is filed for various unfair labour practices alleged to be committed by the Respondents under Items 1, 1(a) of Sch.II and items 9 and 10 of Sch.IV of MRTU & PULP Act, 1971. When I perused prayers it is clear that the complaint is against the alleged illegal deduction of subscription of Respondent No.2 union from the wages of the employees who have withdrawn authority for deduction. It is the positive assertion of the Complainant that 134 employees of the Respondent No.1 have accepted membership of the Complainant union and they have specifically intimated the same to the Respondents. Those members have withdrawn their authorisation given to the Respondent No.1 company for the deduction of monthly union subscription of the Respondent union. It is pointed out during the course of arguments that the union contribution deducted by the Respondent No.1 is returned by the Respondent No.2 to the concerned workers along with interest and cause of action for the present complaint

is not surviving. This particular aspect is admitted by the witness named Shri. Vishnu D. Bhargude in his cross examination. When I perused the documents sought by the Complainant, Complainant is supposed to have possession of documents at Sr.Nos. 1 to 5 and 7. Complainant failed to point out any description of document at Sr.Nos.6 and 8. Also failed to show how those documents would be relevant and necessary for deciding the present dispute on merit. Complainant ought to have filed this application at the earlier stage of the proceeding. Delay on the part of the Complainant for filing this application clearly indicates the intention of the Complainant to prolong the matter. This application does not appears to be bonafide. Hence, following order is passed.

**ORDER**

1) Application Exh.-35 stands rejected.

Satara.

( S. V. Suryawanshi )  
Member,

Date : 30.08.2024.

Industrial Court, Satara.

Argued On: 30.08.2024  
Dictated on: 30.08.2024  
Transcribed on : 31.08.2024.  
Checked and Signed on: 03.09.2024.