

**IN THE COURT OF INDUSTRIALCOURT, MAH., AT PUNE**

**Complaint (ULP) No.64 Of 2020**

Hind Kamgar Sanghatna	..Complainant
V/s	
M.s L.G. Electronics India Pvt. Ltd.	..Respondent

**Order Below Ex.C-5**

(Date : 17<sup>th</sup> September 2025)

This application is filed by the respondent praying the court to frame issue of 'workman' as well as 'maintainability' as preliminary issues, contending that complainant workman do not fit in the definition of 'workman' and clearly falls within the exception to Sec.2(s) of the Industrial Disputes Act, 1947 and they are doing duties mainly on managerial, administrative and supervisory nature and drawing salary in excess of Rs.15,000/-. Hence they are not 'workmen' and therefore the reference is not tenable.

2. The application is resisted by the complainant union by filing Say at Ex.U-12 contending that the application is not tenable. It is contended that Hon'ble Bombay High Court in Writ Petition No.1614/2020 in the order dt.11/01/2024 has ruled that all the issues to be tried together. Hence the application is liable to be rejected.

3. Heard both the parties. Perused record. The present complaint is pending in the court since 2020. However, the respondent has filed Written Statement on 04/05/2022. Thereafter there is no progress in

the complaint and this application for framing preliminary issue is filed on 19/10/2023. Therefore, considering the period spent in the present matter it is not expedient to drag the present matter further by framing preliminary issue. On perusal of record it appears that the complainant has already not pressed interim application filed at Ex.U-2 on 19/08/2024. Hence issues are required to be framed in the matter which are framed today. Hence I do not find any substance in the application. Even otherwise it is settled law that all the issues to be tried together. Hence I proceed to pass following order.

**Order**

- (i) Application stands rejected.
- (ii) Complaint to proceed further.

Pune.

Date : 17<sup>th</sup> September 2025.

(D.M. Patil)  
Presiding Officer  
Industrial Tribunal, Pune