

IN THE INDUSTRIAL COURT AT AURANGABAD

Complaint (ULP) NO. 20 OF 2017

[CNR NO.MHIC20-00-535-2016]

Suraj Apparao Joshi.

...COMPLAINANT

Versus

[1] The Managing Director,
Dainik Bhaskar Group & Ors.

... RESPONDENTS

ORDER BELOW EXH. U-14

[Passed on 7th day of January 2026]

1] Present application has been filed by complainant and prayed to allow the amendment in the complaint stating that, material averments are missing in the complaint. So also, the material relief required to be sought. The facts to be introduced in the complaint are subsequent, relevant, just and proper for complete adjudication. Therefore he prayed that, the amendment may be allowed.

2] The respondent has filed say and objected the application of complainant submitting that, the application filed by the complainant is not maintainable as it is filed beyond limitation. The complainant is trying to insert the facts of dismissal of service which is effected on 24/09/2018. The said amendment is not related to the present matter. Even the complainant has challenged his dismissal order before the Ld. Labour Court by filing Complaint ULP No. 40/2022 which is pending. The amendment which is sought is no way concerned with the present matter. The complainant is praying to vitiate the enquiry and challenging his dismissal. Therefore, application may be rejected with cost.

3] Heard both the Ld. Advocates and perused the complaint including contents of application and say. After going through the same it is observed that, present complaint is filed under Item 3, 6, 9 of Schedule IV of the MRTU & PULP Act, 1971 on dated 09/11/2017 and prayed for direction to the respondent to make the complainant permanent in service as a Management Associate and give him all the permanency benefits in accordance with the recommendations of Majithia Settlement dt.11/11/2011. After filing the complaint it appears that, the respondent has issued charge sheet dt.05/03/2018 and dismissed the services of the complainant vide order dt.24/09/2018. By way of amendment the complainant is raising grievance that the charge sheet issued under the Working Journalists Standing Orders. However said standing orders are only applicable to the working journalists and not to any other workmen. The work of the complainant was of manual and technical nature. Therefore the chargesheet is not legally tenable in the eyes of law.

4] Admittedly present complaint is filed for permanency on the post of Management Associate. Even though admittedly the services of the complainant are terminated vide order dt.24/09/2018 and said dismissal is challenged before the Ld. Labour Court in Complaint ULP No. 40/2022. The Ld. Labour Court is empowered to decide fairness of enquiry and findings of Enquiry Officer and also charge sheet. Further it appears that, the complainant was issued charge sheet dt.05/03/2018 and dismissed his services on 24/09/2018. However, he filed present application almost after six years of dismissal. Therefore to prolong the matter this application is filed. Already the issue of charge sheet and enquiry is pending before the Ld. Labour Court which has challenged by the complainant.

Therefore no need to amend the complaint. Also the complainant has failed to show that, for what purpose he has filed the amendment application. Hence, with above observations this Court comes to the conclusion that, this application is devoid of merit and deserves to be rejected. Thus, this Court proceed to pass following order :

ORDER

1.	Application at Exh. U-14 is hereby rejected.
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Place:-Aurangabad.

Date 07-01-2026

kad/-

(S.D. Suryawanshi)

Member,

Industrial Court, Aurangabad