

Jagan Balwant Dighole

....Complainant

Versus

The Maharashtra State Co-Operative

Bank Ltd. and Others

....Respondents

ORDER BELOW EXHIBIT C-11

(Passed on 26/10/2023)

1. The respondent No. 3 has filed the present application for directing the respondent No. 1 bank, to deposit the excess amount to settle all the legally crystallized claims of the employees of the sugar factory. It is further submitted that the bank is having excess amount from sell of sugar factory which it has no legal right to withheld.
2. The respondent No. 1 bank opposed the application submitting that the application is filed at premature stage and the respondent No. 3 has no locus standi to file the present application. It has been specifically contended that the respondent No. 3 has accepted all the terms and conditions mentioned in the tender agreement and also the legal dues. The legal claims have to be paid by the purchaser as agreed. The property has been sold by the respondent No. 3 to Arjun Sugar Industries.
3. The complainant opposed the application.
4. Heard and perused the papers of the case.
5. In the present case, the complainant is seeking reliefs against the respondents contending that they were employees of sugar factory and due to financial crisis their wages are not paid. The bank has sold the assets of the sugar factory to the respondent No. 3.
6. The complainant is agitating his claim for the dues as employee of the sugar factory. The respondent No. 1 has sold the said sugar factory and the respondent No. 3 and then the respondent No. 3 are

purchasers. The court has to decide whether the complainant is entitled for the wages and it will be a matter of trial. The application filed by the respondent No. 3 is premature and cannot be considered without trial. Hence, the application is not tenable and liable to be rejected. In the circumstances, I pass following order.

ORDER

- 1) The application at exhibit C-11 is rejected.

Jalna
Date 26/10/2023

(Bharati Kale)
Member
Industrial Court, Jalna