

BEFORE THE MEMBER, INDUSTRIAL COURT MAHARASHTRA
AT AKOLA.

Complaint. (ULP) No.10/2012

(CNR No.MHIC30-000027-2012)

Santosh Devendra Banokar

- V e r s u s -

The Registrar, Maharashtra Animal and Fisheries Science University, Nagpur
and others

Order below Exhibit 55

(Passed on 24.09.2025)

1. The present application is filed by the Respondents for framing Additional Issue. It is submitted that during pendency of present proceeding the Complainant was terminated and he challenged the said termination before Ld. Labour Court. The said Complaint came to be allowed vide Judgment dated 09.02.2023. Respondents preferred Revision (ULP) before this Court and the same was partly allowed vide Judgment dated 30.06.2023. The relief of reinstatement and continuity of service were refused. Thereafter Writ Petition came to be filed by the Complainant.

2. It is contended that the claim towards permanency itself is not tenable. In view of subsequent development i.e. dismissal, the Complainant is no more in employment. Therefore, it is necessary to frame requisite issue regarding maintainability of the Complaint.

3. The Ld. Counsel for the Complainant submitted Say vide Exh.56. It is submitted that the application is filed to prolong the matter. It is settled law that due to termination during pendency of claim of permanency proceeding, the same does not become infructuous. Issues have been framed

long back and Complainant has been cross-examined. Therefore, there is no necessity to frame Additional Issue.

4. Heard the Ld. Counsels for the litigating parties and perused the papers. The present matter is filed by the Complainant towards his claim for permanency/regularization. The Complainant came to be terminated and thereafter proceedings by way of Complaint, Revision and Writ Petition are filed. Considering the subsequent developments, it is necessary to frame requisite issue and the same would not cause any hardship to the Complainant. Hence, following order is passed.

ORDER

- (1) The application is allowed.
- (2) The Issue, "Whether the Complaint is maintainable before this Court in view of termination of Complainant from the employment of Respondent?" is being framed.
- (3) The proceeding is expedited.

Place:- Akola.
Date:- 24.09.2025.

(S. S. Khandekar)
Member,
Industrial Court, Akola.

ATB/-