

BEFORE IN THE COURT OF HON'BLE JUDGE, LABOUR COURT, AKOLA.
(Presided over by : D. S. Paikrao, Judge)

PGA No : 99/2025

Meher Farhana Mohammad Abdul Sattar

Versus

Mughal National Urdu Secondary School,
Through its Head Master, Akola and Other.

ORDER BELOW EXH. U-6
(Passed on 10/10/2025)

The application has been filed by applicant for production of documents from the non-applicants as per the provision of law.

2] It is submitted that the application of gratuity has been filed by the applicant against the non-applicants as per the provision of law. It is further submitted that the non-applicants appeared in this matter and denied the last drawn salary of the applicant. It is further submitted that the applicant carries the burden to establish his case on merit, several material documents are in the custody of the non-applicants, which are essential to decide the main application on merit, therefore direction may kindly be given to the non-applicants to produce Salary Slip of May, June-2010 on record in the interest of justice.

3] The applicant submit that the no prejudice or hardship would be caused to the non-applicants to produce the above document, and lastly prayer that direction may kindly be given to the non-applicants to produce said document on record in the interest of justice.

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4] The non-applicant No. 1 and 3 have strongly opposed the said application and submit their reply on record and submitted that said application is against the provision of law. The applicant failed to disclose the relevancy of the documents so sought to be filed. By way of present application an attempt is being made by the applicant to fill the lacuna to distract this court. It is further submitted that the burden of the applicant to prove the said case by submitting relevant document on record. The non-applicant No. 3 submitted that the said document is not in the custody of the non-applicant No. 3. They lastly pray that the said application may kindly be rejected with heavy costs.

5] I have heard argument Learned Counsels of the both parties. It is the case of the applicant that he is entitled for gratuity from the non-applicants. On the basis of this application the applicant has desire to call the certain documents from the non-applicants. The non-applicants have submitted that the applicant has not shown relevancy of the said document. The present application is nothing else but fishing and roving enquiry.

6] The applicant has approached before this court for getting gratuity amount from the non-applicants. In this application the applicant has demanded document from the non-applicants. The non-applicants have submitted before this court what purpose need the said documents and relevancy of document not shown by the applicant. The non-applicants have already filed reply on record, the court has framed issues and matter kept for the evidence of the applicant. In the reply on the main application the non-applicants denied the last drawn salary of the applicant. It is settled law that fishing roving enquiry are not applicable in the law. Burden to prove the case lies to the applicant, if he fails the case he would lose. The applicant has made justifiable reason the said document is relevant. The submissions made by the Ld. counsel for the applicant for producing the said document is considerable. Considering fact and circumstances of the case the non-

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applicants are directed to produce salary slip of May, June-2010 of the applicant before this court. Hence, I pass the following order

ORDER

1. The application is hereby allowed.
2. The non-applicants are directed to produce salary slip of May, June-2010 of the applicant on record before this court.
3. No cost as to order.

**Place : Akola.
Date : 10/10/2025.**

**Sd/-
(D. S. Paikrao)
Judge,
Labour Court, Akola.**