

BEFORE SHRI S. Z. SONBHADRE
THE MEMBER, INDUSTRIAL COURT, AT AKOLA

Complaint U.L.P. No.- 130 / 2022

CNR No.- MHIC30-000141-2022

1. **Bhaskar Shivram Sarkate,**
Age 52 Yrs, Agri Labour,
PKV Akola, Wanirambapur Block,
R/o Wanirambhapur, Tq. & Dist. - Akola.
2. **Shankar Madhukar Gawai,**
Age 44 Yrs, Agri Labour,
PKV Akola, Wanirambapur Block,
R/o Wanirambhapur, Tq.& Dist. Akola. - **Complainants**

Versus

1. The Registrar, Dr. Panjabrao Deshmukh
Krishi Vidhyapith, Akola. Ta. And Dist. Akola.
2. The Vice Chancellor,
Dr. Panjabrao Deshmukh Krishi Vidhyapith,
Akola, Ta. And Dist. - Akola.
3. The Secretary, Department of Agriculture,
Animal Husbandry, Dairy And Fisheries
Development, Mantralaya, Mumbai – 32. - **Respondents**

Coram :- S. Z. Sonbhadre, Member, Industrial Court.

Appearance :- Shri P. N. Varma, Ld. Adv., For Complainants.

Shri S. S. Rajderkar, Ld. Adv., For Resp. No.- 1 & 2.

Order Below Exh.- U-1, U-2 & C-2

(Passed On 16-03-2022)

01. Heard Both Sides. Perused Record. Respondent No.- 1 & 2, have appeared vide Memo of Appearance (Exh.- C-1) on the service of Advance Notice under Rule 115 (3) of the Industrial Court Regulations, and prayed for time to file its Reply & Written Statement vide Application at Exh.- C-2.

02. Complaint is for Regularization of Services of the Complainants. The Complainants by way of Interim Application have prayed for protection of their Services. Pleadings and Documents filed by the Complainants, reveal Prima Facie Case in favor of the Complainants. The Ld. Counsel for Complainant relied on the law laid down by the **Hon'ble Bombay High Court**, in the case of **Saudi Arabian Airlines -V/s- Ashok Hargovind Panchal And Another**, reported in **2002 CJ (Bom) 925 = 2002 (1) MhLJ 745 = 2003 (96) FLR 211**.

03. I am of the view that the Respondent No. 3 is necessary to be heard. So also, till then interest of the Complainants is also to be protected. As such, I proceed to pass following Order.

ORDER

- i.** Issue Notice to Respondent No. 3 Returnable on 29-03-2022.
- ii.** In the meantime the Respondents are directed to continue the employment of the Complainants, As Per Availability of Work and As Per Seniority.

Akola.
Date – 16-03-2022.

S. Z. Sonbhadre
Member, Industrial Court, Akola