

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

Complaint U.L.P. No.- 131 / 2021
CNR No.- MHIC30-000148-2021

1. **Narayan Ambadas Sontakke**
Age 44 Years., Occ. - Service,
R/o Datta Nagar, Mothi Umari,
Akola, Tq. Dist. - Akola.
2. **Surendra Atmaram Bobade**
Age 55 Years., Occ. - Service,
R/o At Post Babulgaon (Jahangir),
Tq. Dist. Akola.
3. **Mahadeo Narayan Dharamkar**
Age 43 Years., Occ. - Service,
R/o At Post Guladhi, Tq. Dist. Akola.
4. **Pandurang Tulshiram Murumkar**
Age 44 Years., Occ. - Service,
R/o At Post Shivar, Akola, Tq. Dist. Akola.
5. **Mahadeo Ramkrushna Ingale**
Age 51 Years., Occ. - Service,
R/o At Post Dhotardi, Tq. Dist. Akola.
6. **Raghunath Annaji Bhaltlak**
Age 47 Years., Occ. - Service,
R/o Khadki Bk, Near Kothari Watika No. 6,
Sanju Nagar, Akola, Tq. Dist. Akola. - **Complainants**

Versus

1. The Registrar,
Dr. Panjabrao Deshmukh Krushi
Vidyapith, Akola. Tq. & Dist. - Akola.
2. The Vice Chancellor,
Dr. Panjabrao Deshmukh Krushi Vidyapith,
Akola, Tq. & Dist. - Akola.
3. The Secretary,
Department of Agricultural, Animal
Husbandry, Dairy & Fisheries
Development, Mantralaya, Mumbai – 32. - **Respondents**

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

Appearance :- Shri V. V. Gawande, Ld. Adv. For Complainants.

Shri S. G. Gawai, Ld. Adv. For Respondent
No.- 1 & 2.

Order Below Application Exh.- U-8

(Passed On 24-02-2022)

01. Matter is taken on Today's Board vide Application Exh. U-7. The Complainant vide Application Exh.- U-8 prayed for Ad-Interim Relief for Restraining the Respondents from Terminating the Services of the Complainant. The Respondent No.- 1 and 2, are duly served and have filed their Written Statement at Exh.- C-2. The Service to Respondent No.- 3 is yet awaited.

02. The Complainant have filed Documents with List Exh.- U-9 and have stated that there is Immediate Threat and Apprehension of the Complainants being Terminated. As such Heard Both Sides on Application Exh.- U-8.

03. I find that the Complainant No. 1 to 5 are in service with the Respondent since the Year 2006. The Complainant No. 6 is found to be in service since 08-05-1987. Apart from this the Complainants are the Project Affected Persons and are yet continued on Daily Wages. In view of the Document No. 1 and 2 filed on record by the Complainant, with List Exh. U-9, the Threat and Apprehension of the Complainants appears to be justified and reasonable. So also Notice appears to have been issued to the Respondent No.- 3 also. However, its Report is yet awaited. As such, No Fault or Negligence can be found with the Complainant, for Service on Respondent No.- 3.

04. The Complainant has 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*. Documents reveal that, the Complainants are in Service with the Respondents, since Long Time.

05. In view of the Documents filed on record by the Complainant, specially the Document No. 3, with List Exh. 9, which is the Seniority List of the Employees as on 31-03-2015, the Complainants are found to be in Employment since long back. So also in view of law in the case of *Saudi Arabian Airlines* the interest of the Complainants have to be protected. As such I proceed to pass following order.

ORDER

- i.** The Application Exh.- U-8 in the Complaint ULP No.- 131/2021, is hereby partly Allowed.
- ii.** Respondents are directed to maintain Statusquo as on Today in respect of Employment of Complainant till Next Date.
- iii.** Complainant to serve the Respondent No. - 3, by R.P.A.D., along with the Copy of this Order. Notice R/On – 09-03-2022.
- iv.** No Orders as to Costs.

Akola.
Date –
24-02-2022.

S. Z. Sonbhadre
Member
Industrial Court, Akola