

Exh. No. _____

IN THE INDUSTRIAL COURT, MAHARASHTRA,
(BHANDARA BENCH), BHANDARA.

REVISION APPLICATION (ULP) NO. 09/2023

(CNR NO. - MHIC360000292023)

The Project Officer,
Soil and Water Management,
Nagpur and one.

- V E R S U S -

Prakash Dasaram Basine,

ORDER BELOW EXH. C-2

(Passed on 9th January, 2026)

This application is preferred by the appellants for grant of interim relief by way of stay to the effect and operation of impugned judgment and order dated 15/02/2022 passed by the learned Labour Court, Bhandara in Complaint (ULP) No. 39/2013. The application is supported by an affidavit being executed by the appellant Mahadeo Ramdas Haware, Sub-Divisional Engineer, Pench Irrigation Management, Sub-Division Kandri Jamb.

02. Say of the respondent / original complainant has been called for. The respondent has recorded his say on application itself and strongly opposed this application.

03. Upon rival pleadings on record, the following points arise for my determination and I have recorded my decision against it for the reasons stated below:-

<u>POINTS FOR DETERMINATION</u>	<u>DECISION</u>
01. Whether the appellants have made out a prima facie case for grant of interim relief ? In the negative.
02. In whose favour balance of convenience tilt ? In favour of respondent.
03. Whether the appellants will suffer irreparable loss if interim relief is refused ? In the negative.
04. What order? As per the final order.

REASONS

04. I have heard learned Advocate Mr. R. V. Bhanarkar for the appellants. Perused the material placed on record.

AS TO POINTS NO. 1 TO 3:-

05. To avoid repetitions, all three points are decided together.

06. It is admitted fact that on Prakash Dasaram Basine has filed complaint before the Labour Court, Bhandara bearing Complaint (ULP) No. 39/2013, which was allowed, wherein termination order dated 10/09/2001 was quashed and set aside. Same is under challenge in this revision and meanwhile, this application is preferred for grant of stay to the effect and operation of the impugned judgment and order passed by the trial Court.

07. On behalf of respondent, it is submitted that in similar revision, the Court has finally decided revision without granting stay. It is also submitted that the matter can be heard finally by calling record and proceeding of the trial Court. Similarly, the application is opposed

on the count that similar revision was dismissed and said order is confirmed in Writ Petition by the Hon'ble High Court. It is undisputed that facts of present case is similar to those cases.

08. It is matter of record that contempt petition is already filed before the learned Labour Court, Bhandara. Considering this, I do not find any prima facie case for grant of injunction and for staying effect and operation of impugned judgment. Considering that no relief was granted in the similar matter, even the balance of convenience does not tilt in favour of the appellants. Therefore, no irreparable loss will be caused to the appellants. Per contra, if the stay is granted, the original complainant / present respondent will suffer irreparable loss which cannot be compensated in terms of money. Hence, I answer point nos. 1 & 3 in the negative and point no. 2 in favour of the respondent and proceed to pass following order in terms of point no. 4.

ORDER

01. The application Exh. C-2 is hereby rejected.
02. The record and proceedings be called from learned Labour Court, Bhandara.
03. Both parties to co-operate the Court for early disposal of main revision application.
04. No order as to costs.

BHANDARA.
Date :- 09/01/2026.

(Kishore M. Jaiswal)
Member,
Industrial Court, Bhandara.

Argued on : 09/01/2026
Dictated on : 09/01/2026
Typed on : 09/01/2026
Checked & Signed on : 09/01/2026.
MSH/-