

Exh.O-7

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

Complaint (ULP) No.73 of 2019

(CNR NO.MHIC36-000193-2019)

Israil S/o Sharif Pathan

..... **versus**

State of Maharashtra, through its Secretary
Nagar Vikas Mantraya umbai + 2

ORDER BELOW EXH.U-6
(Passed on 20th September, 2022)

This is an application/notice for production of the documents.

2] In brief, the complainant has filed this complaint under Section 28 read with Item 9 of Schedule IV of the MRTU & PULP Act claiming relief of pensionary benefit alongwith other consequential reliefs. It is his claim that he was working with respondents as a "peon" w.e.f. 01.04.1997 and since the date of

his appointment he was in continuous service till the date of his retirement. The respondents have maintained his service record, muster roll, wage register etc. Said documents are in the exclusive control and possession of the respondents which are necessary for proper adjudication of this complaint. Thus, he prayed that respondents be directed to place on record seniority list of daily wagers since 01.04.1997 to 30.08.2016, muster cum wage register and attendance register for the same period.

3] The application has not been seriously objected by the respondents. The respondents gave evasive reply that if such documents are available with them they would place it on record.

4] Heard learned Advocates of both the sides.

5] As stated above, the reply of respondents itself is evasive. Naturally, when the complainant was working under the control of respondents they must have possession of all these documents. The documents are necessary for proper and fair adjudication of the complaint. Hence, following order.

ORDER

- i] The application is allowed.

- ii] The respondents are directed to place on record seniority list of daily wagers since 01.04.1997 to 30.08.2016, muster cum wage register and attendance register for the same period.

- iii] No order as to costs.

Bhandara.

(Atul K. Shah)

Member

Dated: 20.09.2022

Industrial Court, Bhandara.