

**BEFORE DHIRAJ P. KALE, PRESIDING OFFICER**  
**FOURTH LABOUR COURT THANE.**

**REFERENCE (IDA) No. 38 OF 2024**  
**(CNR No.MHLCO40004592024)**

**Zakaullah Moh. Khalil Khan** ...Applicant  
V/s.

**1. M/s. Zaks Supply Chain Pvt. Ltd.**

**2. Mohd. Khalid Mohd. Usman Khan -Director** ...Opponents

**ORDER BELOW EXH.C-3**  
**(Passed on 18/08/2025)**

The opponenst have filed this application for permission to appoint an Advocate in their behalf. It is stated that, they don't have adequate legal knowledge and therefore, it is necessary to take the assistance of an Advocate. Hence, prayed for appointing an Advocate to plead and appear on their behalf. The applicant filed reply and strongly objected the appointment of legal practitioner by the opponents.

2. Heard both the parties.

3. The applicant appeared and filed application Exh.U-2 objecting the appearance of any advocate from the side of opponents. That application is now under consideration. The opponents are asking for a permission to engage Advocate, as they are not well conversant with the legal provision and procedure.

4. The applicant is being represented by an Union Representative. Section 36 of the Industrial Disputes Act deals with representation of parties. Section 36(4) deals with representation by a legal practitioner. It requires two aspects, firstly the consent

of the other party and the leave of the Court. Herein, in order to get a permission to engage a legal practitioner, the first parties have not only to get a consent from other side but also to seek leave from this Court. This is an application seeking leave, but the other important aspect is the consent of the second party.

5. Herein, the applicant has strongly objected granting any such permission to the opponents. Reference was made to the ratio of Hon'ble Supreme Court in the case of *Paradip Port Trust Paradip V/s. Their workmen reported in (1977) 2 SCC 339*. So far the ratio in this case is clear, wherein the opponents are supposed to comply with these aspects but though there may be a leave from this Court, there is no consent from the other side. So, the opponents cannot be allowed to engage an Advocate to defend their case. Hence, the order follows,

**ORDER**

Application is rejected

Date : 18/08/2025

Place: Thane  
pps/-

(Dhiraj P. Kale)  
Presiding Officer  
Fourth Labour Court, Thane.