

**BEFORE G. S. HANGE JUDGE, LABOUR COURT AT MAHAD,
DIST – RAIGAD**

COMPLAINT (ULP) NO. 07/2025
CNR No. MHLC06-000061-2025

Zakirhusain Ibrahim Shaikh

Age- 50 yrs, Occu- Service

R/O Near Saibaba Mandir, G-Triveni CHS

Hanuman Nagar, Kandiwali East

Mumbai 400101

Complainant...

V/s.

1. Divisional Controller

M. S. R. T. C. Mumbai Division

Near Premier Company, Vidyavihar West

Mumbai 400086

2. Divisional Traffic Superintendent

M. S. R. T. C. Mumbai Division

Near Premier Company, Vidyavihar West

Mumbai 400086

3. The Depot Manager,

Depot Uran

Raigad

Respondents....

Order below Exh. U-2

(Passed on 08/09/2025)

By this application the complainant has sought an interim injunction against the show cause notice dt. 11/08/2025 issued against him. Perused the application, affidavit, and documents filed along with the complaint. Heard the ld. Adv for

the complainant Shri. V.R.Mehata.

02. On perusal of the record it appears that the complainant has been working with the respondent as a driver. On 16/04/2025 the respondents issued the charge sheet to him for the alleged misconduct charged under clauses 10, 11, 22 and 57 of the D and A Procedure of the respondent. The respondent corporation conducted enquiry into charges leveled against the complainant and the enquiry officer gave findings holding him guilty of misconduct. On the basis of said findings the show cause notice dt. 11/08/2025 was given to him and the period of seven days was given him for submitting reply. It appears that there is every possibility that the respondent corporation would act upon said show cause notice and dismiss the complainant.

03. The learned adv for the complainant submitted that the complainant has strong prima facie case in his favor and he has hopes to succeed in the matter. The service of the complainant has not been terminated till filing of this complainant. The documents on record reveal that there is *prima facie* case in favor of the complainant as there needs evidence on record to prove loss caused to the corporation by the negligence of the complainant and for that purpose sufficient opportunity needs to be given to him to adduce evidence in his favor. If the

protection is not given to him then the respondents may act upon the show-cause notice and terminate his service. Therefore, in order to give fair opportunity to him to adduce evidence it is necessary to restrain the respondents from acting upon the show-cause notice issued against him. Hence, the order

ORDER

- 1) The respondent corporation is hereby restrained from acting upon the show-cause notice dtd. 11/08/2025 till the further order.
- 2) Issue notice to respondent corporation as to why the ad interim injunction granted against them should not be made absolute r/o 15/09/2025.

Mahad.
Date. 08/09/2025

(G. S. Hange)
Judge
Labour Court, Mahad