

ORDER BELOW EXH.:-16

(Date :- 21/10/2022)

1) This application is filed by second party for seeking direction to first party to produce documents maintained by first party. Second party is seeking production of original muster rolls, payment musters, registration certificates, licenses, cash books, appointment orders, purchase orders, purchase and sales invoices, delivery challans, stock registers, copies of sales tax returns, provident fund returns, balance sheet, annual returns, copy of constitution, daily production reports, list of suppliers and dealers, original vouchers of traveling allowance, original register of indent material, original settlement between first party and Bhartiya Kamgar Sena, in-out register, etc. According to second party all these documents are relevant since they falsify defense of first party.

2) Reply of first party is at Exh.:-18. Application is opposed on the ground that second party is trying to show strength of employees more than 100 by adding employees working in other companies despite permanent closure of first party's manufacturing activity at Taswade. Documents called are not relevant. Certain documents are not traceable and not available with first party. Certain registers sought are not maintained by first party. So, notice of production of documents may be rejected.

3) According to Rojnama rival Advocates have argued on this application on 26/08/2022.

FINDINGS :-

4) Second party is seeking documents maintained at Taswade, Head Office and all marketing offices mostly for period from June 2007 till today. As many as 22 heads of documents / registers are enlisted by second party. Clearly, it will be a bulky record. It will not be practically feasible to move it from respective locations to the Court. Since many documents which are sought are original, their proper maintenance and custody will be another challenge.

5) Without perusal of those documents, it cannot be said that they are not relevant. Certain documents may be of significance and relevance to the subject matter of this case. It will be appropriate to allow second party to inspect the concerned documents at their respective places of maintenance. If applied by second party, first party shall grant certified/true/attested copies of those documents. Accordingly, following order is passed :

ORDER

- 1) Application is disposed with following directions -
 - (a) First party shall allow inspection of documents mentioned by second party in the list which is part of Exh.:-16.
 - (b) If applied by second party, first party shall grant certified/true/attested copies of those documents.
- 2) Second party shall pay necessary charges incurred for making copies of necessary documents.

DATE :- 21/10/2022.

SATARA.
MIM

(Anushree R. Rahane)
Presiding Officer,
Labour Court, Satara.