

BEFORE MANGAL DEEPAK KASHYAP, PRESIDING OFFICER.
SECOND LABOUR COURT, PUNE.

REFERENCE (IDA)NO. 18 OF 2020
(C.N.R.NO.MHLC-12000179-2020)

BETWEEN

Seco Tools Pvt. Ltd.

.... FIRST PARTY.

AND

Shri. Navnath Bhagchand Fargade.

.... SECOND PARTY.

ORDER BELOW EXH.U-5
(PASSED ON : 06/07/2023)

1. The present application is filed by the second to give directions to the first party to produce the documents dated 26/04/2018 filed by him in the enquiry proceeding. It is submitted that the first party has filed enquiry proceedings at Exh.C-3 and at Exh.C-5. In the said enquiry he had submitted documents dated 26/04/2018. Those documents are not in the enquiry proceedings filed before the Court. Therefore prayed that the first party be directed to produce those documents.
2. The first party has submitted handwritten say on overleaf of the application. It is submitted that they have filed all enquiry papers alongwith findings of enquiry officer on record. Hence application be rejected.
3. Perused the application and say. Heard arguments of both the parties. Perused the record. It is revealed that in this matter, the issues are framed on 05/02/2021 at Exh.O-5. The Issue No.1 and 2 regarding

enquiry and perversity of findings of enquiry officer are treated as preliminary issues. Since then the matter is posted for arguments on preliminary issues.

4. Perused the record. Original enquiry papers are filed at Exh.C-5. The list of documents shows that the copies of the exhibited documents are filed. It is also mentioned in the list that the copies of the documents at Exh.1 to 23 are filed at Page No.69 to 129. The Exh.15 in the original enquiry record is at Page No.102. It shows that alongwith Exh.15 total 14 documents were filed by the second party and the list of 14 documents is mentioned at Exh.15, but the copies of these documents are not on record i.e. alongwith Exh.C-5.
5. Page No.102 in the list at Exh.C-5 is exhibited in the enquiry as Exh.15. It means the documents mentioned in this exhibit were certainly filed by the second party and he has every right to get these documents. The reasons best know to the first party as to why these documents are not produced alongwith list Exh.C-5. Therefore there si no substance in the contention of the first party that they have filed all the documents on record. If the documents are produced on record, it will helpful to decide the matter on merits. Hence, the first party is directed to produce the documents as demanded by the second party vide Exh.U-5.

PLACE : PUNE.

DATE : 06/07/2023

**PRESIDING OFFICER,
FIRST LABOUR COURT, PUNE.**