

BEFORE KALYANI R. ADAKE, JUDGE, LABOUR COURT, SOLAPUR.

COMPLAINT (ULP) NO.05/2025

(CNR No.MHLC13-0000232025)

Shri.Rupanna Chandrakant Khure & Ors.

...Complainant

Versus

Krushu Utpanna Bazar Samiti, Akkalkot

...Respondent

ORDER BELOW EXH.CA-1

(Passed on : 29/09/2025)

1. This is an application filed by Secretary of the Respondent with a prayer to add him as a Respondent to the present proceeding. The Complainant's advocate has submitted reply at the back side of the application and thereby resisted contentions of the Secretary. The Respondent has also filed reply at Exh.C-4 and thereby resisted the contentions.

2. Heard Adv. Joshi for the Secretary, Adv.Aiwale for the Respondent and Adv.Deshpande for the Complainant. I have gone through the record of the proceeding. The Complainant has filed the main complaint for challenging his apprehended illegal termination.

3. Advocate Joshi while arguing matter has submitted that, the Complainant has made party to the Respondent Bazar Samiti and the Court notice/summons was accordingly served on Chairman of the Bazar Samiti. In fact, the affairs of the Bazar Samiti are carried out through secretary and he is acting as a administrative head. The Complainant was working under the secretary and therefore it is necessary to add the secretary as a Respondent to the present proceeding. The said amendment will not change nature of dispute but if the amendment is not allowed then the Secretary will suffer irreparable loss due to legal complications and it will affect working of

the Respondent.

4. Adv.Aiwale for the Respondent has argued that, the application filed by Secretary is not maintainable. There is no employer-employee relationship between Secretary and Complainant. The Secretary himself is a employee of the Respondent and therefore, he cannot be placed in the place of employer and as a Respondent. He prayed to reject an application.

5. Adv.Deshpande for the Complainant while arguing the matter has submitted that, the present application is not maintainable. The Secretary is not an appointing authority of the Complainant and he himself is employee of the Respondent. There is no employer-employee relationship between the Secretary and Complainant. The Complainant has not prayed any relief against the Respondent. He prayed to reject an application.

6. I have gone record of the proceeding. The Complainant has filed the present proceeding under apprehension of illegal termination by the Respondent. In para-15 of his prayer he has prayed relief of declaration of unfair labour practice and declaration of illegal apprehended termination against the Respondent. It is an undisputed fact that the Complainant has not claimed any relief from the Secretary. The Complainant has also not claimed any relief against the Secretary. It is not at all theory of the Secretary that the merit of the Complainant's case and the relief sought for by him are closely connected to the working of the Secretary or it adversely affect the working of the Secretary. It is undisputed fact that the Secretary is not an appointing authority of the Complainant or dismissing authority of the Complainant. The Secretary while filing the application has taken main ground that, if he is not made party to the present proceeding then it

will adversely affect working of Respondent. The said point raised by the secretary is flatly denied by the Respondent. The Respondent on the other hand, has opposed the application to add the Secretary as a party to the present complaint. While filing the say, the Respondent has specifically stated para-2 that the Secretary is not having any authority and power to terminate the services of the Complainant. Considering the facts and circumstances submission of the Complainant advocate and Respondent Advocate and Adv.Joshi, I do not find any substance in the prayer of the Secretary to add him as a party to present complaint. The Secretary is not the necessary party to the present proceeding. Hence, I proceed to pass following order.

ORDER

(i) Application is hereby rejected.

(ii) No order as to costs.

Date :29/09/2025

(K. R. Adake)
Judge,
Labour Court, Solapur.