

IN THE LABOUR COURT-1 AT AURANGABAD.

(Presided over by Smt. M.R.Kolhar)

COMPLAINT (ULP) NO.15/2020
(CNR: MHLC200001222020)

Shashikant Sonaji Supekar

Vs

MORGANITE CRUCIBLE (INDIA) LIMITED
Through its Managing Director

Order below Exh.C:-14
(Delivered on 11/08/2023)

The respondent filed present application and contended that complainant was working as Asstt. Manager with respondent. The complainant is not a 'workman' under section 2(s) of Industrial Disputes Act, 1947, therefore, issue as regards to maintainability of present complaint deserves to be decided as preliminary issue and present complainant is liable to be dismissed.

2. The complainant filed reply and submitted that this application is premature. The complainant is a 'workman' in the eyes of law.

3. Heard both learned Counsels at length. Perused the record. It is matter of record that the respondent pleaded in its Written Statement that the complainant was working as Asstt. Manager with respondent and he is not 'workman' within the meaning of Section 2(s) of the Industrial Disputes Act, 1947, the issue on the point of 'workman' needs to be framed and this issue will be decided along with all issues

on basis of evidence. Hence, application vide Exh. C-14 is partly allowed.

(Smt. M.R.Kolhar)
Judge,

Date : 11/08/2023.

Labour Court-1, Aurangabad