

ORDER BELOW EXH.U-10 IN APPLICATION (IDA) NO. 24/2018

Ashok Ganpat Popalghat

Vs.

Transmission Zone, MSET Co. Ltd., & Anr.

1. The applicant has filed claim under 33(C)(2) of Industrial Disputes Act,1947 and thereby claiming amount of legal dues from opponents. The applicant filed present application for impleading Mukya Mahavyavasthapak (HR Department) as a opponent no.2 as a necessary party. The applicant submitted that they have wrongly made party to the 'managing director' as an opponent no.2. In fact, such post was not available with the opponent's authority. Therefore, applicant wanted to delete the name of the Managing Director as opponent no.2 and add the name of Mukya Mahavyavasthapak (HR Department) as opponent no.2 . The applicant prayed that the present application needs to be allowed.

2. The opponent replied to the present application and raised the strong objection that the application is not maintainable at this belated stage; hence, it deserves to be dismissed.

3. Heard both Learned Counsels at length.

4. Read the application and perused the Reply and application vide Exh. C-5 filed by present opponent no.2. It reflects that the post of Managing Director is not in existence with opponent authority. Therefore, the applicant wanted to delete the name of the Managing Director as opponent no.2 and wanted to add the name of Mukya

Mahavyavasthapak (HR Department) as opponent no.2. I have not found that opponent no.1 will be caused any prejudice if the name of Mukya Mahavyavasthapak (HR Department) is added as opponent no.2. Hence, in the interest of justice, the present application is granted and proceeds to pass the following order.

ORDER

1. The application is allowed.
2. The applicant is directed to carry out amendment within 14 day from the of this order.

(Smt. M.Y.Amrutkar)
Judge,
Labour Court-1, Aurangabad

Dtd.24/03/2022