

BEFORE THE JUDGE, LABOUR COURT, JALNA**COMPLAINT (ULP) NO. 8 OF 2025**

CNR No. MHLC-21000157-2025

Ganesh Pralhad Danve

**...Complainant;****Versus**The Sarpanch,  
Gram Panchayat, Dewalegavan,  
Tq. Jafrabad, Dist. Jalna & ors.**...Accused.****Claim : Application for amendment.****ORDER BELOW EXH.U-18**

( Delivered on 03/10/2025 )

1) By this application the complainant has submitted that he has challenged the legality and validity of resolution dated 30-4-2025 passed by the respondent Gram Panchayat whereby his services have been terminated. The respondents have not issued any separate termination order to the complainant till the date of filing of the present complaint and in this respect submission has been made in Para No.2 of the complaint.

2) The complainant has submitted that during the pendency of the present complaint the respondents have issued termination order dated 13-8-2025. Therefore, the complainant wants to make some amendments in his original complaint. The said proposed amendment is in consonance with the termination order dated 13-8-2025. Therefore, this amendment will not change the nature of complaint.

3) The complainant has submitted that he want to delete para No.2 of his original complaint and in lieu thereof insert para No.2 as quoted in para No.4A of this application. The complainant has further submitted that he wants to

delete original para No.3 of the complaint and in lieu thereof insert para No.3 as quoted in para No.4B of the present application.

4) The complainant has further submitted that he wants to insert the word 'resolution of' in last line of Para No.3B and the said word is to appear after the words 'date of appearing in last line of Para No.3B of the complaint. The complainant has further submitted that he wants to insert the word and date i.e. 'and 4-8-2025' at the end of Para No.3D. The complainant has further submitted that he wants to insert the portion 'and resolution dated 4-8-2025' after the date 30-4-2025 mentioned in Para No.3E of the complaint.

5) The complainant has further submitted that he wants to replace original Para No.3F of the complaint with the contents mentioned in Para 4G of the present application. The complainant has further submitted that he wants to replace clause (B) and (C) of prayer clause in Para No.7 of the complaint with clause (B) & (C) in Para 4H of the amendment application.

6) The complainant has submitted that he be allowed to carry out the aforesaid amendments.

7) The respondent Gram Panchayat was directed to submit say to this application. Accordingly the respondents through their Advocate have submitted that he complainant has committed misappropriation of huge amount and detailed enquiry is to be conducted for the serious misconduct. Therefore, the present application for amendment is strongly objected.

8) I have learned Advocate Shri S.K.Deshmukh for the complainant and learned Advocate Shri A.M.Pande for the respondent Gram Panchayat.

9) The following points arise for my consideration for decision on the application I am recording my finding(s) against these points with reasons to follow :

Sr. No.	Points	Findings
1)	Whether the complainant is entitled to carry out the proposed amendment ?	In the “affirmative”
2)	What order ?	Application is allowed.

### Reasons

10) Learned Advocate for the complainant submitted that the complainant has filed this complaint challenging the termination of his services effected by the respondent Gram Panchayat vide Government Resolution dated 30-4-2025. He has prayed for setting aside the said termination and has prayed relief of reinstatement with continuity of service and full back wages. Learned Advocate vehemently submitted that the complainant was not issued any termination order after resolution regarding termination of his employment. Learned Advocate submitted that the present complaint has been filed on 25-7-2025. The notice of the present complaint came to be issued to the respondents and the respondents have appeared in the matter. Learned Advocate submitted that the respondents have issued termination order dated 13-8-2025 to the complainant. The complainant has produced the said termination order with list Exh.U-17 dated 21-8-2025. Learned Advocate submitted that as this termination order was not issued to the complainant after passing of resolution dated 30-4-2025 and even thereafter till the date of filing of the present complaint. Learned Advocate further submitted that the termination order refer to Resolution No.01 dated

30-4-2025 passed in the monthly meeting of the respondent Gram Panchayat and the subject matter on the agenda of the said meeting was No.5. Therefore, learned Advocate submitted that the complainant is required to amend the present complaint and he be permitted to amend the same as prayed for by him in his application.

11) Learned Advocate Shri A.M.Pande for the respondents submitted that the complainant has committed misappropriation while in the employment of the respondent Gram Panchayat and therefore, a detailed enquiry is to be conducted against him. Learned Advocate submitted that therefore, complainant is not entitled to carry out the proposed amendment and his application be rejected.

12) Perusal of original complaint shows that the complainant has challenged termination of his services effected by the respondents vide resolution dated 30-4-2025. The present complaint has been filed on 25-7-2025. The termination order has been issued to the complainant on 13-8-2025. The said termination order refers to the monthly meeting of the respondent Gram Panchayat held on 30-4-2025 and further refers to the Resolution No.01 passed on the basis of Subject No.5 in the agenda of the said meeting. The termination order records that the explanation of the complainant is not acceptable to the respondent Gram Panchayat and therefore, he has been terminated as per Resolution No.01 dated 30-4-2025 and further Resolution No.04 dated 4-8-2025.

13) The complainant has produced proceeding (Exh.U-4/2) of the monthly meeting dated 30-4-2025 of the respondent Gram Panchayat. It is seen from the said proceeding that subject No.5 was regarding terminating the complainant from the post of Clerk. It is seen that the

resolution came to be passed on the basis of subject No.5 and it came to be resolved to terminate the complainant from the employment of the Gram Panchayat. It is seen that the termination order issued to the complainant records that the complainant has been terminated for the charges No.1 to 18. It is seen that the said resolution also refers to certain charges. Therefore, considering the resolution produced on record by the complainant and the contents of the termination order, the complainant deserves permission to carry out the amendment. The proposed amendment will not change the nature of the complaint as the original complaint which is of unfair labour practice will even after amendment remain the complaint of unfair labour practice. Accordingly a finding in the 'affirmative' is recorded against Point No.1.

14) In answer to resultant point No.2, following order is passed :

**Order**

- 1) Application for amendment (Exh.U-18) is allowed.
- 2) The complainant to carry out the amendment and file amended copy of complaint on record with copies to the respondents.
- 3) The matter is fixed on 8-10-2025.

Place: Jalna  
Date : 03/10/2025

Sd/-  
( S. D. Bauchkar )  
Judge,  
Labour Court, Jalna.