

VERSUS

THE STATE OF MAHARASHTRA & ORS.

.....

RESPONDENTS

O R D E R

Leave granted.

We have heard the learned counsel for the parties.

Mr. Dipankar P. Gupta, the learned Senior Counsel

for the appellants has pointed out that certain amendments made to the constitution of the Trade Union are violative of the Trade Union Act, 1926 and several other Acts as well and as such the Management has the locus standi to intervene in the matter as the said amendments have a deep effect on the Management. We find some merit in the stand taken by the learned Counsel. We are also of the opinion that a decision on merits is also required in the matter.

Mr. Colin Gonsalves for the respondents has, however, submitted that the proceedings against the workmen should be allowed to continue as per the present state of affairs.

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We, however, leave it open to the High Court to pass such interim orders as it may deem fit and proper in the circumstances. We, accordingly, allow this appeal and set aside the order of 26th July, 2007 of the Division Bench of the High Court. We also direct the parties to appear before the Registrar General, High Court of Judicature at Bombay on 7th October, 2010. We also request the High Court to dispose of the matter as expeditiously as possible as the rights of workmen are involved and the dispute has been pending since long.

.....J
[HARJIT SINGH BEDI]

.....J
[CHANDRAMAULI KR. PRASAD]

NEW DELHI
SEPTEMBER 07, 2010.