
(2002) 02 BOM CK 0028
In the Bombay High Court
Case No : O.O.C.J.W.P. No. 245 of 2002

Hindustan Lever Ltd.

APPELLANT

Vs

S.V. Hinge and Others

RESPONDENT

Date of Decision : 11-02-2002

Acts Referred:

Citation : (2002) 4 LLJ 247

Hon'ble Judges : Nishita Mhatre, J

Bench : Single Bench

Judgement

Nishita Mhatre, J.—Through this writ petition, the petitioner challenges the order of the Labour Court dated July 30, 2001 dismissing its application for deciding the maintainability of the complaint (ULP) No. 352 of 1999.

2. The Labour Court has held that the issue regarding maintainability of the complaint can be considered later as to dismiss the complaint at this stage would be premature since evidence would have to be led regarding the preliminary issue regarding maintainability of the complaint. The Labour Court has made these observations on the basis of the judgment of the learned single Judge of this Court in the case of Hindustan Coca Cola Bottling S/W Pvt. Ltd. and Another Vs. Narayan Rawal and Others, . However, this judgment is, with respect, no more a good law as the same has been set aside by the Division Bench of this Court in the case of Hindustan Coca Cola Bottling S/W Pvt. Ltd. v. Bharatiya Kamgar Sena and Ors., 2002 ILLJ 380.

3. In view of this, the order of the Labour Court dated July 30, 2001 is set aside.

4. Writ Petition is, accordingly, disposed of with no order as to costs.

5. Parties to act on an ordinary copy of this order duly authenticated by the Court Associate.