

(2016) 03 MP CK 0051
In the Madhya Pradesh High Court
Case No : Writ Petition No. 15184/2015

Third Eye Security Services Private Limited	APPELLANT
Vs	
M.P. Paryatan Udyog Mazdoor Sangh and Others	RESPONDENT

Date of Decision : 15-03-2016

Acts Referred:

Constitution of India, 1950 — Article 227

Citation : (2016) 03 MP CK 0051

Hon'ble Judges : Alok Aradhe, J.

Bench : Single Bench

Advocate : Uttam Maheshwari, Learned Counsel, for the Appellant;

Final Decision : Disposed off

Judgement

Alok Aradhe, J.

1. Mr. Uttam Maheshwari, learned counsel for the petitioner.
2. Mr. Anshuman Singh, learned counsel for the respondent No. 2.
3. None for the respondent No.1, though served.
4. With consent of the parties, the matter is heard finally.
5. In this petition under Article 227 of the Constitution of India, the petitioner, inter alia, has challenged the validity of the order dated 25.05.2015, by which, the labour Court has rejected the application for impleadment filed by the petitioner.
6. When the matter was taken up today, learned counsel for the petitioner submitted that the petitioner is a necessary party to the lis in question as, if any order is passed by the Labour Court the same would adversely affect the interest of the petitioner. It is further submitted that in the stand taken by the respondent No. 2 in its reply to the statement of claim in the opening paragraph itself, an objection has been taken that the petitioner is necessary party to the lis

in question and the proceeding before the Labour-Court suffers from non-joinder of the parties.

7. The aforesaid aspect of the matter could not be disputed by learned counsel for the respondent No. 2.

8. I have considered the submissions made by learned counsel for the parties and have perused the record. From perusal of the record, it is evident that in reply to the statement of the claim the respondent No. 2 has taken an objection that the petitioner is necessary party to lis in question and in case, any order is passed, the same may adversely affect the interest of the petitioner. The impugned order, therefore, suffers from an error apparent on the face of the record, the impugned order dated 25.05.2015 is hereby quashed. The application for implement filed by the petitioner is allowed.

9. Accordingly, the writ petition stands disposed of.

10. C.C. as per rules.