

SUPREME COURT OF INDIA

Sarva Shramik Sanghatana

Vs.

Interim International Removals Division of Freight Systems (India) Pvt. Ltd.

C.A.No.5449 of 2016

(Kurian Joseph and R.F.Nariman,JJ.,)

01.07.2016

JUDGMENT

Kurian Joseph,J.,

SLP(Civil)No. 34742 of 2015

1. Leave granted.

2. The appellant is before this Court challenging an interim order passed by the High Court of Judicature at Bombay in Writ Petition No.4203 of 2015. The said Writ Petition is filed by the Respondent No.1 challenging an interim order dated 26.02.2015 passed by the Industrial Tribunal, Mumbai whereby an increase to the tune of Rs.3,000/- in the wages to the workmen has been awarded by an interim measure. That order has been stayed by the High Court as per the impugned interim order dated 6th May, 2015.

3. The learned counsel for the appellant submits that the increase is nominal and the workmen have been pursuing their grievances for quite long and hence, the interim order of the Industrial Tribunal may not be disturbed. It is also submitted that the interim order passed by the Industrial Tribunal may not be disturbed since it is subject to the final award to be passed by the Industrial Tribunal.

4. However, having regard to the fact that the reference has been pending before the Industrial Tribunal, Mumbai since 2013, we are of the view that the interest of justice would be advanced, if a direction is issued to the Industrial Tribunal, Mumbai to decide the reference itself expeditiously.

5. In that view of the matter, we are not inclined to interfere with the interim order dated 06.05.2015 passed by the High Court. We dispose of this appeal with a direction to the Industrial Tribunal, Mumbai to decide the reference expeditiously, preferably before the end of this year.

6. The interim order dated 26.02.2015 passed by the High Court will continue till the reference is decided by the Industrial Tribunal, Mumbai.

7. The submission of learned counsel on both sides that they will co-operate with the expeditious disposal of the reference is recorded.

8. In view of the direction as above, nothing survives in the Writ Petition (C) No.4203 of 2015 before the High Court and hence, the same is also disposed of.

9. The Registry will communicate the copy of this order to the High Court.