

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4642 OF 2013
ARUN BHAUSAHEB KARLEKAR VERSUS SHRIGONDA TALUKA AND ORS

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Advocate for Petitioner : Shri Barde Parag Vijay
Advocate for Respondents 1 & 2 : Shri Deshmukh Ajinkya
h/f Shri Hon A.V.
AGP for Respondent 3 : Smt. Shinde V.A.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: August 10, 2015

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PER COURT :-

1. Shri Barde, learned Advocate submits on instructions from the petitioner, who is present in the Court that this petition may be disposed off as withdrawn since the petitioner has not questioned the alleged termination at the hands of the respondent - employer. His claim for permanency pressed through the Complaint (ULP) No.96 of 2007 has been turned down by the impugned judgment dated 8.10.2012. Since he desires to question his termination on its own merits, the observations of the Industrial Court should not be held as an embargo on the petitioner.
2. Shri Deshmukh, learned Advocate submits that in the event the petitioner questions his termination before the competent forum, the respondent / management shall oppose the said claim on its own merits.
3. In the light of the above, this petition is disposed off as withdrawn, on instructions. The time spent by the petitioner in this Court from 9.1.2013 till the passing of this order, shall be a ground for condonation of delay. The observations of the Industrial Court are in relation to the non-maintainability of the Complaint in the light of the termination of the petitioner and hence the said observations shall not create an obstruction in deciding the challenge of the petitioner to his termination before the competent forum.

(RAVINDRA V. GHUGE, J.)

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