

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1995 OF 2015

THE SECRETARY, AGRICULTURAL PRODUCE
MARKET COMMITTEE JAWLA BAZAR, HINGOLI
VERSUS
RAMPRASAD SHIVAJIRAO KALE

...
Advocate for Petitioner : Shri Wattamwar Govind O.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: February 24, 2015
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PER COURT :-

1. This matter was heard for sometime.
2. The learned Advocate fairly states that an application, seeking framing of preliminary issue was filed below Exhibit C/4, prior to the filing of the Written Statement. The Industrial Court, while rejecting Exhibit C/4, by the impugned order dated 6.1.2015, has noted / observed, *"This Court, accordingly, comes to the conclusion that prima facie, the complaint of complainant is maintainable. The respondents not filed their written statement. In these circumstances, there is no question of framing of issues on the point of maintainability or on the point of jurisdiction, still this Court has ample power to decide point of maintainability at final stage."*
3. The petitioner, therefore, seeks leave to withdraw this petition so as to file a detailed written statement, along with objections as regards the

tenability of the complaint.

4. In the light of the said statement, this petition is dismissed as withdrawn.

5. Needless to state, the Industrial Court is expected to consider the contentions and averments of the petitioner in the written statement, as well as objections, if any, in accordance with law.

(RAVINDRA V. GHUGE, J.)

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