

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.6489 OF 2014

Sunil Bhagwan Awasarmol

..PETITIONER

VERSUS

The Employer/Manager,
M/s Om Sairam Steel Alloys Pvt. Ltd.
and anr.

..RESPONDENTS

Ms Preeti V. Diggikar, Advocate for petitioner;
Mr S.V. Dankh, Advocate for respondent no.1

CORAM : N.W. SAMBRE, J.

DATE : 9th March, 2015

ORAL ORDER :

The order dated 20th May, 2014, passed by the Judge, Labour Court, Jalna, in Misc. (WC) Delay Application No.1 of 2013, whereby the prayer of the petitioner for condonation of delay is rejected, is hereby set aside, with the consent of the parties. The matter is remanded to the Labour Court, Jalna.

2. The petitioner is at liberty to examine Dr. Bairagi and also will be entitled to lead such other evidence as may be necessary for establishing the cause for delay occurred in preferring an application under the provisions of the Workmen's Compensation Act.

3. The issue as regards the applicability of the Limitation Act, in the light of the judgment rendered by this Court, in the matter of **J.L. Morrison India Ltd. vs. Dy. Commissioner of Labour**, reported in **2007 (6) ALL MR 358**, shall also be taken into account by the learned Commissioner.

4. In the light of above observations, the order dated 20th May, 2014, passed by the Judge, Labour Court, Jalna, in Misc. (WC) Delay Application No.1 of 2013, is quashed and set aside. Writ petition stands disposed of in above terms. In the circumstances, there shall be no order as to costs.

(N.W. SAMBRE, J.)

amj