

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION***

CIVIL WRIT PETITION NO. 9344 OF 2015

The Thane District Central Co.op.
Bank Ltd. and Ors.

... Petitioners.

V/s.

Mr. Sudhir Bhimrao Papadkar.

... Respondent.

Mr. Bhushan Walimbe for the Petitioners.
None for the Respondent.

CORAM : N.M. JAMDAR, J.

DATE : 28 SEPTEMBER, 2015.

P.C. :-

Taken on production board in view of the praecipe filed by the Petitioner.

2. The Petitioners challenge the order dated 30 October 2014 disposing off the Application for filing certain additional documents on record in a Revision. The Labour Court, Thane by order dated 13 January 2014, partly allowed the complaint filed by the Respondent and directed the Petitioner to reinstate the Respondent and continued in service with 50% back wages. This order was challenged in Revision by the Petitioners filed in March 2014. On 16 September 2014 an application was made in the

Revision for bringing on record certain documents such as appointment letter, order of dismissal, police complaint, charge-sheet, statement before the Inquiry Officer, copy of Anticipatory Bail Application.

3. The only reason given for non-production of these documents earlier was that the Advocate representing the Petitioner expired. But that event occurred in September 2012. Thereafter, the complaint proceeded and was disposed off in the year 2014. Most of the documents are either part of criminal proceedings or of the enquiry held by the Petitioner and it was easily possible for the Petitioner to produce them early. In any case the Industrial Court has not completely shut out the Petitioners and has kept the aspect of additional evidence open to be considered while deciding the Revision Application on merit.

4. In view of this liberty already granted, it is not necessary to interfere with the impugned order. Writ Petition is accordingly disposed off.

(N.M. JAMDAR, J.)

C E R T I F I C A T E

Certified to be true and correct copy
of the original signed Order.