

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

WRIT PETITION NO. 2696 OF 2015

Shri Ramesh Laxminarayan Pattiphaka ... Petitioner

v/s

Atul Dodhiya & ors. ... Respondents

Mr.Suhas Inamdar along with C.M.Lokesh for the petitioner.

None present for the respondents.

CORAM: N.M. JAMDAR, J.

DATED : 2 SEPTEMBER 2015

P.C.:

By this petition, the Petitioner workman challenges the order passed by the Labour Court, Thane, dated 19 January 2015 rejecting his application filed under Exh.U-19 in Reference (IDA) No. 69 of 2003.

2 The Petitioner had filed an application for investigation and enquiry under Section 340 of Code of Criminal Procedure, as according to the Petitioner, the Respondents have filed a document of settlement which was not genuine and was forged.

3 The reference is pending since the year 2003. The Labour

Court has come to the conclusion that what is the veracity of this document would be matter of merits. Further more, it will be open to the Petitioner to urge all contentions available to him in law as regard the genuineness of this document at the time of final hearing of the reference. In view of this position, it is not necessary to interfere with the discretionary order passed by the Labour Court, Thane. Further more, the pendency of the reference which is of the year 2003 any further, will prejudice the Petitioner himself.

4 In such circumstances, keeping the argument of both the parties open regarding the genuineness of the document, the petition is rejected.

(N. M. JAMDAR, J.)