

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5169 OF 2014

Dr. Ramesh Y. Wagh

.....Petitioner

: V/S :

1. Tata Memorial Centre,
and Ors.

.....Respondents

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Ms. Bhagashri Pradip Jakhade, Advocate for the petitioner.

Mr. Sudhir Talsania, Senior Counsel a/w. Mr. Agnel Carneiro i/by. Mulla
& Mulla and Craigie Blunt and Caroe, Advocate for respondent no.1.

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Coram :- Smt. R.P. SondurBaldota, J.

20th July, 2015.

P.C. :-

1). By the order dated 18th March, 2013 passed in this petition, the issue as regards the jurisdiction of the Labour Court to entertain and try Complaint (ULP) No. 50 of 2007 under Section 28(1) of the Maharashtra Recognition of Trade Union & Prevention of Unfair Labour Practices Act, 1971 ("MRTU & PULP Act" for short) in respect of the order of dismissal of the petitioner was remanded for decision to the Labour Court. Accordingly, the Labour Court has, by its order dated 30th June, 2015, decided the issue to hold that the petitioner is not a "workman" and hence the complaint filed by him was not maintainable. With this

finding, the Labour Court has dismissed the complaint with costs. This finding of the Labour Court is now required to be challenged by the petitioner by resorting to Section 44 of the Industrial Disputes Act by filing Revision Application to the Industrial Tribunal. In view of dismissal of the complaint, the present petition has become infructuous. The same is accordingly disposed off.

(SMT. R.P. SONDURBALDOTA, J)