

Shramik Utkarsha Sabha	...	Petitioner
Vs.		
Tata Steel Limited and others	...	Respondents

Mr. P. M. Palshikar for Petitioner.
Mr. K. M. Naik, Senior Advocate i/b. Mr. S. P. Salkar for Respondents.

CORAM : R. G. KETKAR, J.
DATE : 5TH JANUARY, 2015

Heard Mr. Palshikar, learned Counsel for the petitioner and Mr. Naik, learned Senior Counsel for respondents.

2. By this Petition under Article 226 of the Constitution of India, the petitioner has challenged the judgment and order dated 20.09.2014 passed by the learned Member, Industrial Court, Mumbai in Delay Condonation Application (ULP) No.16 of 2014. By that order, the Industrial Court rejected the application for condonation of delay.

3. Rule. Mr. Salkar waives service on behalf of respondents. At the request and by consent of the parties, rule is made returnable forthwith and the Petition is taken up for final hearing.

4. Mr. Naik in all fairness and upon taking instructions from the

respondents states that the impugned order may be set aside and the Delay Condonation Application (ULP) No.16 of 2014 may be restored to the file of the Industrial Court for deciding the same afresh on merits and in accordance with law.

5. In view thereof, by consent of the parties, impugned order is set aside. Delay Condonation Application (ULP) No.16 of 2014 is restored to the file of the Industrial Court. The Industrial Court shall decide the said application afresh and in accordance with law. All the contentions of the parties on merits are expressly kept open. While deciding the application, the Industrial Court shall not be influenced by any observations made in this order by this Court.

6. Rule is made absolute accordingly with no order as to costs.

(R. G. KETKAR, J.)

Minal Parab