

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.3583 OF 2014.

(PROF. NATIONAL AGRICULTURAL RESEARCH PROJECT...VS..BHALCHANDRA KASHIRAMJI
DESHMUKH & 8 OTH.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : NOVEMBER 24, 2015.

Heard Shri A.R.Patil, learned advocate for the petitioner and Ms Ritu Kalia, learned A.G.P. for the respondent Nos. 8 and 9. None appears for the respondent Nos. 1 to 7.

The petitioner-employer has challenged the order passed by the Industrial Court refusing to condone the delay of three years in filing the revision and consequently dismissing the revision filed by the petitioner. The petitioner had filed revision challenging the order passed by the Labour Court allowing the complaint filed by the respondent Nos. 1 to 7 under Section 28 of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971. The petitioner chose to file another revision application i.e. Revision No. 115 of 2012 after about three years of passing of the order by the Labour Court. The petitioner withdrew the earlier revision i.e. Revision (ULP) No. 2 of 2010 seeking permission to prosecute Revision No. 115 of 2012. Revision (ULP) No. 2 of 2010 was accordingly disposed of. Though the petitioner had sought permission to prosecute Revision No. 115 of 2012, the order passed by the

Industrial Court on 10th April, 2013 does not show that such permission was granted to the petitioner.

Be that as it may, the petitioner has not been able to justify the delay of three years in filing Revision No. 115 of 2012. The petitioner was admittedly aware about the order passed by the Labour Court on 23rd July, 2009.

Furthermore, the learned advocate for the petitioner states that the order passed by the Labour Court on 23rd July, 2009, which came to be challenged in Revision No. 115 of 2012, has been implemented and the respondent Nos. 1 to 7 are reinstated and the back wages are also paid.

In view of the above, I see no reason to interfere with the impugned order.

The petition is **dismissed**. In the circumstances, the parties to bear their own costs.

JUDGE