

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.L.P.A. No. 57 of 2004

Z.P. Wardha

v.

The Presiding Officer, Second Labour Court, Ngp. & anr.

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

Court's or Judge's orders

None for the Appellant.

Mr. S.A. Kalbande Advocate for respondent no. 2.

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**Coram : B.P. Dharmadhikari &
S.B. Shukre, JJ.**

Date : 19th March, 2015.

None for the appellant. Advocate representing it earlier has been elevated as Judge of this Court. However, Advocate Kalbande appears for respondent/employee and submits that challenge has become infructuous. He informs that in the proceedings instituted before Labour Court by the respondent/employee under Industrial Disputes Act, the employer/appellant sought leave under Section 36 of the Industrial Disputes Act to engage an advocate. That leave was declined and said order of Labour Court was questioned in W.P. No. 1544/03. The learned Single Judge after hearing the parties passed order on C.A. No. 3563/03 and in the process found nothing wrong with the order

of Labour Court. He submits that thus the writ petition itself was dismissed on 23.6.2003, and that order has been questioned in the present L.P.A.

As no interim orders are passed by this Court, the Labour Court proceeded further with the dispute and ultimately finally adjudicated it. That Award is questioned by the employee by filing a writ petition before this Court.

In view of this statement made by Advocate Kalbande, it is apparent that challenge to the interlocutory order made by the Labour Court in writ petition and thereafter in LPA is rendered infructuous. Accordingly, we dispose of the L.P.A. as infructuous.

Judge

Judge

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