

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

WRIT PETITION NO. 3651 OF 1995

SHYAM VITHALRAO THOKAL AND OTHERS
VERSUS
THE BLOCK DEVELOPMENT OFFICER AND OTHERS

WITH

WRIT PETITION NO. 3652 OF 1995

LAGAD VITTHAL KISHANRAO
VERSUS
THE BLOCK DEVELOPMENT OFFICER AND OTHERS

...

Advocate for Petitioners : None.

AGP for Respondent / State : Mr. P. G. Borade.

...

CORAM : **P. R. BORA, J.**

DATE : 23rd June, 2016.

P.C.:

. On the previous date i.e. on 10th May, 2016 none had appeared for the Petitioners. However, in the interest of justice, the matter was adjourned till today. Today also, none has appeared for the Petitioners.

2 On 10th May, 2016, this Court in para No.2 has observed thus:

“2. Learned AGP submits that in both these petitions, the petitioners have challenged the judgment and order dated 6.5.1995, delivered by the Labour Court, Jalna in

Complaint (ULP) Nos. 104 of 1993 and 106 of 1993 respectively. It is further submitted that the statutory efficacious remedy for filing a Revision under Section 44 of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 ("the said Act"), has not been availed of by the petitioners. Learned AGP further submits that this Court in the case of Engineering Employees Union Vs. Devidayal Rolling & Refinery Pvt. Ltd. [1986 (52) FLR 40 = 1986 Mh.L.J. 331], has concluded that the remedy under Section 44 has to be availed of and the Writ Petition need not be entertained directly."

3 In view of the law laid down in the case of *Engineering Employees Union Vs. Devidayal Rolling & Refinery Pvt. Ltd. (supra)*, both the writ petitions stand dismissed. Rule discharged.

[P. R. BORA, J.]

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