

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2216 OF 1996

Bhatia Road Lines,
34, Central Avenue Road,
Nagpur 18.

..Petitioner

Versus

Manikrao Kashinath Pawankar
R/o Anand Bhawan,
Station Road, Dhule.

..Respondent

...
Advocate for Respondent : Smt. A.N.Ansari

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CORAM : RAVINDRA V. GHUGE, J.
Dated : September 22, 2016

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ORAL JUDGMENT :-

1. Transfer notice which was issued to the petitioner is returned unserved for want of name. The same party has already appeared in Civil Application No.4510 of 1997. Office remark indicates that the service on the petitioner is, therefore, complete.

2. The petitioner is aggrieved by the judgment of the Labour Court dated 11.5.1994, by which, application IDA No.39 of 1998 under Section 33-C(2) of the Industrial Disputes Act had been

allowed and the petitioner is directed to pay an amount of Rs.58,297.55 Ps. to the respondent on/or before 15.6.1994, failing which, interest at the rate of 18% p.a. from 22.11.1988 was granted.

3. By order dated 7.10.1995, this Court admitted the petition and stayed the impugned judgment and award. The petitioner was directed to deposit amount of Rs.58,000/- in this Court. Same has been deposited on 10.11.1995 and subsequently withdrawn by the respondent.

4. Rather than dismissing the matter in default, I have gone through the award dated 11.5.1994 and the petition paper book.

5. I have considered the reasons assigned by the Labour Court, which are based on the evidence recorded in the proceedings. The conclusions of the Labour Court from paragraph No.48 onwards upto paragraph 63 would indicate that the Labour Court has granted a small portion of the amount claimed by the respondent. I do not find that the reasons assigned could be termed as being perverse or erroneous.

6. This petition is, therefore, dismissed and Rule is discharged. The respondent is at liberty to withdraw the remainder amount inclusive of accrued interest from this Court after the expiry of six weeks from today.

(RAVINDRA V. GHUGE, J.)

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