

*Ladda*FARAD CONTINUATION SHEET No.IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION No. 526 of 2016

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr Sanjeev Kadam i/by M/s Desai & Desai Asso. for the petitioner.

Mr Rajesh Desai for the Respondent No.1.

Smt. P.P. Bhosale, APP for the State.

CORAM : A.S.GADKARI, J.

DATE : 2nd May, 2016

P.C.

1) By the present petition filed under Article 227 of the Constitution of India, the petitioner has challenged the order of issuance of process dated 9.7.2012 in Misc. Criminal Complaint (ULP) No. 22/2012 passed by the Labour Court, Mumbai.

2) The learned counsel for the respondent no.1 submitted that, the petitioner is having substantive alternate remedy by way of revision at his command and without availing the said remedy the petitioner has filed the present petition on new grounds. The learned counsel for the petitioner submitted that as a matter of fact the petitioner had earlier preferred a revision before the Industrial Court bearing No. 7 of 2013 which was dismissed. He further submitted that however after getting additional material under the Right to Information Act,

2005, the petitioner has preferred the present petition instead of preferring fresh revision on additional material.

3) In view of the settled legal position that the petitioner is having substantive alternate remedy at his command by way of revision before the Industrial Court, the learned counsel for the petitioner, on instructions, seeks leave to withdraw the petition with liberty to approach the revisional Court, if so advised.

4) The petition is disposed off in the aforesaid terms.

(A.S.GADKARI, J.)