

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9905 OF 2014**

Rajendrakumar Vitthalrao Metkari

..Petitioner

Vs.

The Saswad Mali Sugar Factor Ltd

..Respondent

Mr. Suhas S. Inamdar for the Petitioner

Mr. Pradas Kulkarni for the Respondent

CORAM : R. M. SAVANT, J.

DATE : 26th SEPTEMBER, 2016

P.C.

1 The above Petition takes exception to the order passed by the Labour Court deciding the preliminary issues relating to whether the inquiry was fair and proper and whether the findings are perverse. The said issues have been decided against the Petitioner by the Labour Court by its order dated 7-10-2011. The said order has been confirmed by the Industrial Court by the impugned order dated 22-1-2014.

2 Since the orders are relating to the two preliminary issues, the Learned Counsel appearing on behalf of the Petitioner Mr. Inamdar after arguing for sometime on instructions of the Petitioner seeks withdrawal of the above Petition to raise the issues raised in the above Petition in the Petition that would be required to be filed against the final order that would be passed

by the Industrial Court in the Revision, in the event the Labour Court decides the other issues against the Petitioner.

3 The Petition is accordingly allowed to be withdrawn with liberty as prayed for. All contentions of the parties on the aforesaid two issues are kept open for being urged at the appropriate time in appropriate proceedings.

[R.M.SAVANT, J]