

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE**

WRIT PETITION NO.3909 OF 1999

M/s. New Era Fabrics Ltd.	...	Petitioner
Versus		
Shri Kiran L. Savani	...	Respondent

.....

Ms. Aparna Devkar i/b M/s M.P. Vashi & Associates for the Petitioner.
None for the Respondent.

.....

CORAM : S.C.GUPTE, J.

DATE : 4 AUGUST 2016.

P.C. :

. Heard learned Counsel for the Petitioner.

2 This Petition challenges an order passed by the Labour Court in a complaint of unfair labour practice at the instance of the Respondent. The order has been confirmed in revision by the Labour Court by its order dated 17 September 1998. By the impugned orders, the Respondent-workman has been reinstated with 75% back wages from 18 October 1988 with continuity of service. The grounds of challenge in the Petition indicate that the grievance of the Petitioner is about appreciation of evidence by the Courts below. Appreciation of evidence *per se* cannot be the subject matter of judicial review under Articles 226 or 227 of the Constitution of India. It is only when the conclusion drawn by the Courts below is not supported by any evidence or that the Court has considered any irrelevant matter or disregarded any relevant matter, that the Writ Court can interfere with the

findings of the Courts below. There is no such case made out in the present Petition. The findings of the Courts below are clearly sustainable by evidence on record.

3 The Petition is accordingly dismissed. No order as to costs.

(S.C.GUPTE, J.)