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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 4473 OF 2000

Aries Pharmaceuticals

...Petitioner

Vs.

Shri Salim J. Pathan

...Respondent

Mr. C.M. Lokesh i/b. G.S. Hegde, Advocate for the Petitioner
Mr. Praashant P Chawan a/w. Mr. Ravindra R. Chile,
Advocates for Respondent Nos. 1 & 2

CORAM : M.S. KARNIK, J.

DATED : 19TH AUGUST, 2016

P.C. :

1. The Petitioner by way of the present Petition is challenging the order dated 16th June, 1999 (Part-I Award) passed by the 4th Labour Court, Thane at Thane by which the learned Judge was pleased to hold that the inquiry conducted against the second party is not fair and proper. The Petitioners were granted liberty to lead fresh evidence before the Court to justify their action. The Petition had come up for admission on 29th August, 2000 when this Court was pleased to issue Rule and ad-interim reliefs in terms of prayer clause (b) was granted. Prayer clause (b) reads thus:

“(b) That pending the hearing and final disposal of this Petition, the Award dated 16th June, 1999 passed by Labour Court, Thane in Reference (IDA) Nos. 191 of 1994 and 192 of 1994 and the further proceedings of the said Reference (IDA) Nos. 191 of 1994 and 192 of 1994 be stayed”.

2. Today when the matter came up for final hearing the learned Counsel for the Petitioner requested for time to seek instructions. The present Writ Petition is of the year 2000 and the stay to the order dated 16th June, 1999 passed by the Labour Court is operative till today. Be that as it may, no fruitful purpose will be served by keeping the present Petition pending and in my view the following order will meet the ends of justice instead of deciding the present Petition on merits.

ORDER

1. The Petitioner is granted liberty to challenge the order (Part-I Award) dated 16th June, 1999 along with the final award that may be passed. I may not be understood to have expressed any opinion on the merits of the matter and all

contentions of the respective parties are kept open. The interim relief earlier granted stands vacated.

2. The Presiding Officer of the 4th Labour Court, Thane at Thane is directed to decide the Reference (IDA) Nos. 191 and 192 of 1994 as expeditiously as possible, and in any event within a period of 9 months from today.

3. Writ Petition is accordingly disposed of.

(M.S. KARNIK, J.)