

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4146 OF 2016**

Gangadhar Narasayya Bandi

..Petitioner

Vs.

M/s. Dental Products India Ltd & Ors.

..Respondents

Mr. R. B. Nair for the Petitioner

Mrs. Meena Doshi for the Respondents

CORAM : R. M. SAVANT, J.

DATE : 31st AUGUST, 2016

P.C.

1 The Part-1 Award dated 6-1-2014 passed by the Learned Presiding Officer, 4th Labour Court, Thane, is taken exception to by way of the above Petition. By the said Part-1 Award two issues have been answered namely that the inquiry is fair and proper and that the findings recorded by the inquiry officer are not perverse. The Learned Counsel appearing for the Petitioner seeks withdrawal of the above Petition with liberty to challenge the findings on the said two issues after the final award is passed in the event the same goes against the Petitioner. The Petition is accordingly allowed to be withdrawn with liberty as prayed for.

2 Since in the interregnum the Petitioner has attained the age of superannuation in the year 2013, the issue that remains for adjudication would be now restricted to whether the Petitioner would be entitled to back

wages up to the date of his superannuation as also the issue of proportionality of the punishment. In view of the narrow compass of the controversy involved and having regard to the fact that the reference is of the year 2002, the reference is expedited and is directed to be disposed of latest by 31-3-2017.

[R.M.SAVANT, J]