

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.

CIVIL APPLICATION NOS.111, 112 & 113 OF 2016

IN

WRIT PETITION NO.3565 OF 2014

(M/s. Rasik Paper ..vs.. The Member, Industrial Court, Nagpur)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri V.P. Marpakwar, Advocate for the petitioner,
Ms. Hemlata Jaipurkar, AGP for the respondent No.4.

CORAM : Z.A. HAQ, J.

DATED : 02-08-2016

Shri M.V. Mohokar, Advocate has filed
Vakalatnama for the respondent Nos.2 and 3.

The order passed by the learned Registrar (Judicial) on 29-06-2016 records that the respondent No.1 is reported to be dead prior to 7-8 years that is during the pendency of the proceedings before the Industrial Court. The legal representatives of the respondent No.1 had not taken any steps to get themselves impleaded before the Industrial Court. In these facts, the order passed by the learned Registrar (Judicial) on 14-11-2014 recording that the petition is dismissed against the respondent Nos.1 to 3 is required to be modified.

Shri V.P. Marpakwar, Advocate for the petitioner,
on instructions, states that though the legal

representatives of the respondent No.1 are not pursuing the claim, according to the petitioner, the respondent No.1 is entitled for an amount of Rs.15,404/- and the petitioner is willing to pay the amount if the legal representatives approach.

In the above facts, following order is passed :

Civil Application No.111/2016.

For the reasons stated in the civil application, the delay is condoned.

Civil application is allowed.

Civil Application No.112/2016.

For the reasons stated in the application, the order passed by the learned Registrar (Judicial) on 14-11-2014 is modified and the petition against the respondent Nos.2 and 3 is restored.

Civil application is allowed accordingly.

Civil Application No.113/2016.

As Shri M.V. Mohokar, Advocate has filed Vakalatnama for the respondent Nos.2 and 3 and as the respondent No.1 had died during the pendency of the proceedings before the Industrial Court and his legal representatives have not taken any steps to get themselves impleaded and the petition is not required to be restored against the respondent No.1, civil application

seeking permission to give correct addresses of the respondent Nos.1 to 3 is disposed as infructuous.

JUDGE

adgokar

CERTIFICATE

I certify that this Order uploaded is a true and correct copy of original signed Order.

Uploaded by : P.M. Adgokar.

Uploaded on : 06-08-2016.

P.A. to Hon'ble Judge.