

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR

C.A.O. NO. 915/14 IN M.C.A. (REVIEW) ST. NO. 7962/14 IN L.P.A. NO. 201/13
IN WRIT PETITION NO. 159 OF 2013.

(Laldas s/o Hari Badole .vs. The Divisional Manager, Van Prkalp, FDCM & others)

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

Mr. R.S. Bhure, Advocate for applicant,
Mr. Mohan Sudame, Advocate for respondent nos. 1 & 2.

CORAM : B.R. GAVAI & P.N. DESHMUKH, JJ.

DATED : MARCH 18, 2016.

This is an application for condonation of delay. The application is vehemently opposed by the learned Counsel for the respondent. However, taking into consideration the grounds raised in the application, the application is allowed. Delay stands condoned.

M.C.A. (REVIEW) ST. NO. 7962/14 :

Taken up on board.

The Letters Patent Appeal is dismissed concurring with the view taken by the learned Single Judge that there was an inordinate delay in approaching the Labour Court.

It could be seen that though the petitioner was terminated in 1994, he was terminated on the ground that he was caught red handed in a trap. The criminal proceedings ended in the year 2004 wherein the appellant was acquitted. As such, *prima facie* we find that the appellant would get cause of

action in the year 2004.

In that view of the matter, we find that a good ground is made out for reviewing the judgment and order dated 2.8.2013. The Review Application is allowed. The judgment dated 2.8.2013 is recalled. The Letters Patent Appeal is restored to file.

Judge

Judge

J.