

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

WRIT PETITION NO.621 OF 2015

Western Coalfields Limited, Nagpur, through its Chief General Manager

..vs..

Shri Kishore s/o Jairam Chakole and another

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

Court's or Judge's Order

Shri M. Anilkumar, counsel for the petitioner.

Ms Deepali Sapkal, Adv. h/f Shri A.S. Kilor, counsel for R-1.

**CORAM : B.P. DHARMADHIKARI &
KUM. INDIRA K. JAIN, JJ.**

DATED : JULY 27, 2016.

Heard learned counsel for the parties for
some time.

It is apparent that question whether the application before the Labour Officer of the Central Government was moved within reasonable time or after delay can be looked into by some *quasi judicial* officers. The reference has also been made on 11.9.2013. The reference does not expressly indicate the defence or the ground of employer that it is belated.

The petitioner-employer has also filed its written statement before the Central Government Industrial Tribunal, Nagpur.

Taking overall view of the mater, we find that interest of justice can be met with by giving the

petitioner-employer liberty to raise issue of delay and laches, if it is not already raised in the written statement.

Advocate Ms Deepali Sapkal h/f learned counsel Shri A.S. Kilor for respondent No.1 submits that the matter is already fixed for recording of evidence.

In that situation, if the defence on these lines is not already raised, it is open to the petitioner-employer to move appropriate application and raise it within a period of six weeks from today.

With these directions and liberty, we dispose of the writ petition. No costs.

JUDGE

JUDGE

!! BRW !!

C E R T I F I C A T E

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

Uploaded by : Bhushan R.Wankhede.
(Personal Assistant)

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