

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

WRIT PETITION NO.3454 OF 2016

[Dharmaraj s/o Dayaram Ghodmare .vs. Western Coalfields Limited and others]

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

Court's or Judge's orders

-----  
Shri A.S. Kilor, counsel for the petitioner,  
Shri A.M. Joshi, counsel for the respondents.  
-----

.....

CORAM : SMT. VASANTI A. NAIK AND  
MRS. SWAPNA JOSHI, JJ.

DATED : JUNE 27, 2016.

By this writ petition, the petitioner has sought a direction to the respondents to continue the petitioner to work on the post on which he is working till the Central Government Industrial Tribunal cum Labour Court at Nagpur decides the application filed by the petitioner for interim relief.

It is the case of the petitioner that the petitioner is due to retire on attaining the age of superannuation, as per the say of the respondent–Western Coalfields Limited, on 30.6.2016. It is stated that the date of birth of the petitioner is 1.7.1963 and hence it would be necessary to pass an order directing the respondents to continue the petitioner in service, as in the absence of the Presiding Officer, Central Government Industrial Tribunal cum Labour, the application filed by the petitioner for grant of interim relief could not be heard.

Shri A.M. Joshi, the learned counsel for the respondent – Union of India, on instructions, states that the in-charge Presiding Officer, Central Government Industrial Tribunal would be attending the sittings at Nagpur from 11.7.2016 to 15.7.2016 and the petitioner could move the Tribunal for an appropriate direction.

In view of the statement made by the learned counsel appearing on behalf of the Union of India, we are not inclined to entertain the writ petition and grant relief. Even otherwise, the petitioner can seek an appropriate direction even after 30.6.2016, as the Tribunal, in the circumstances of the case, may be empowered to grant appropriate relief.

With the aforesaid observations, we dispose of the writ petition with no order as to costs.

JUDGE

JUDGE

Gulande