

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

M.C.A. NO.1054/2015
IN
WRIT PETITION NO.715/2006 (D)

Maharashtra State Electricity Transmission Company Limited, through its Executive
Engineer and another
..Versus..

Mohammad Sadique Imad-Ul-Hauque

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

Court's or Judge's orders

Shri R.E. Moharir, Adv. for the applicants/petitioners.

CORAM : Z.A. HAQ, J.
DATE : 17.6.2016

This application is filed by the original petitioners (employer) seeking review of the judgment passed by this Court dismissing the petition filed by the employer.

The substantive ground raised at the time of arguments on this application on behalf of the employer is that the respondent - employee was a daily wager and the Labour Court could not have directed his reinstatement with continuity of service and back wages. To support this argument reliance is placed on the following judgments:

(i) Judgment given in the case of the Manager (Factory) Maharashtra State Cooperative Marketing Federation Ltd. & Anr. V/s. Suresh s/o Dadarao Gadge reported in **2015 (1) SCALE 104**,

(ii) Judgment given in the case of The Bharat Sanchar Nigam Ltd. V/s. Bhurumal reported in **2015 (1) Mh.L.J. 5**,

(iii) Judgment given in the case of Bharat Sanchar Nigam Limited V/s. Man Singh reported in (2012) 1 SCC 558,

(iv) Judgment given in the case of Manager (Now Regional Director), R.B.I. V/s. Gopinath Sharma and another reported in **2006 (110) FLR 803**,

(v) Judgment given in the case of State of Haryana and another V/s. Tilak Raj and others reported in **AIR 2003 SC 2658**,

(vi) Judgment given in the case of Incharge Officer and another V/s. Shankar Shetty reported in **(2010) 9 SCC 126**,

(vii) Judgment given in the case of Surendranagar District Panchayat V/s. Dahyabhai Amarsingh reported in **(2005) 8 SCC 750**,

(viii) Order given in Writ Petition No.919/1991 on 4th April, 1991 and

(ix) Judgment given in Letters Patent Appeal No.2/1992 on 15th January, 1993.

The point raised by the applicants in this review application

cannot be considered as all the relevant challenges raised on behalf of the applicants are taken into consideration while deciding the petition.

I do not find any error apparent on the face of the record which necessitates the exercise of review jurisdiction by this Court. The application is **dismissed**. In the circumstances, the parties to bear their own costs.

JUDGE

Tambaskar.