

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

CAO NO. 836 OF 2013 IN MCA ST. NO. 21408 2012
IN WRIT PETITION NO. 3878 OF 2010

(M/s. Haji Latif Gani, Bidi Manufacturers, Tumsar, thr. its Manager vs. Ramlal s/o Ragho Badge & Ors.)

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

Court's or Judge's orders

CORAM : B.P. DHARMADHIKARI, J.
JANUARY 08, 2016.

The prayer in this application is to condone delay of 664 days in filing review. This Court issued notice on 31.10.2014 and thereafter the matter is being placed before the Court today for the first time. The office endorsement shows that Respondent Nos. 2, 3, 5, 6, 8 & 11 are served. The matter is already dismissed against Respondent Nos. 4 & 7 as per orders dated 15.04.2015 passed by the Registrar (Judicial). Those orders have attained finality.

Notice issued to Respondent Nos. 1, 9 & 10 is received back unserved as they are reported to be dead. No steps have been taken to bring on record their legal heirs till date. This position continues since 03.02.2015. Thus, due to passage of time of more than 10 months, the proceedings against Respondent Nos. 1, 9 & 10 also stand dismissed and abated.

The petitioner – employer, which is a Bidi manufacturer company, has sought review of the order dated 24.08.2010 passed in Writ Petition No. 3878 of 2010. The said Writ Petition questioned the judgment of Labour Court under Section 33-C(2) of the Industrial

Disputes Act.

This Court has found that the Labour Court was justified in granting relief to workmen.

LPA No. 592 of 2010 preferred against it was withdrawn on 24.01.2011 with liberty to file appropriate application before the learned Single Judge.

In this situation, as the matter is already dismissed against the few workmen and nobody is attending to the matter, present civil application is dismissed. The proceedings are closed. No costs.

JUDGE

*GS.