

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3255 OF 2014

AHMEDNAGAR ZILLA PRATHAMIK SHIKSHAK SAHAKARI BANK LTD.,
AHMEDNAGAR THR. ITS DEVEL
VERSUS
MANGESH DASHRATH THUBE

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Advocate for Petitioner : Shri More Abhijit S.

Advocate for Respondent : Shri Nagode D.G..

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 15th February, 2017

Per Court:

1 The Petitioner has challenged the part-1 judgment of the Labour Court dated 02.01.2014 delivered in Complaint (ULP) No.44/2010. By the said part-1 judgment, the enquiry conducted by the Petitioner has been vitiated on the ground of non observance of the principles of natural justice as well as the findings of the Enquiry Officer being perverse.

2 The learned Advocate for the Petitioner has strenuously criticized the impugned judgment.

3 This Court, in the matter of *Engineering Employees Union vs.*

Devidayal Rolling & Refineries Private Limited, 1986 Mh.L.J. 331 : 1986 (2) Bom.C.R. 246, has concluded that a writ petition filed directly before this Court without exhausting a remedy of filing a revision under Section 44 of the MRTU & PULP Act, 1971 before the Industrial Court, cannot be entertained.

4 Considering the above, this Writ Petition is disposed of by granting liberty to the Petitioner to prefer the proceedings under Section 44 of the MRTU & PULP Act, 1971 within a period of FOUR WEEKS from today, if so advised.

kps

(RAVINDRA V. GHUGE, J.)