

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 4360/2017  
(Murlidhar Sonekar V/s. State & Oth. )

IN WRIT PETITION NO. 1018/1998

Mr. V.P. Latange, Advocate for the Applicant  
Mr. N.T. Bhagat, AGP for respondent State

( CORAM : Ravindra V.Ghuge, J.)

DATE : 16/06/2017

PER COURT :

1            Learned counsel for the applicant submits that, when the writ petition was disposed off directing the Industrial Court to decide Complaint (U.L.P.) No. 396/1996, if still not decided, a statement was made by the petitioner that the respondent has passed away. The petition was therefore abated and was disposed off.

2            It is submitted that the respondent in the Writ Petition, who is the original complainant before the Industrial Court, is very much alive and is before this Court as an applicant in this application. It is therefore submitted that, the order of this Court dated 16.02.2017 be modified.

3            Learned A.G.P. for respondent/State submits that the statement about the applicant having passed away was made on

instructions. It is unfortunate that the said statement was made. He submits that since the petition was filed by the State which had no reason to make an incorrect statement. The petition can be restored and petitioners are willing to proceed with the petition today itself.

4           In the light of above, this Civil Application is allowed. The order dated 16.02.2017 is recalled and Writ Petition No. 1018/1998 is restored to the file.

5           The learned advocates for the respective sides pray that they are ready to address the Court on the Writ Petition today itself.

6           Request is accepted.

( Ravindra V.Ghuge, J.)