

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

WRIT PETITION NO. 10442 OF 2017

BHARTIYA SAMRUDDHI FINANCE LTD. THROUGH ITS POWER OF
ATTORNEY HOLDER V A DESHPANDE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Petitioners : Shri Pawar Vikas S
AGP for Respondent/State : Shri S.N.Kendre.
...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 28th August, 2017

Per Court:

1 The Petitioner has challenged an interlocutory order dated 23.03.2017 passed by the Labour Court on an application Exhibit U/9 directing the production of documents. The said order is passed under the MRTU & PULP Act, 1971 in Complaint (ULP) No.40/2015.

2 Considering the impugned order, the Petitioner ought to have resorted to the remedy of filing a revision petition under Section 44 of the said Act before the Industrial Court. As is laid down by 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**, without exhausting the remedy of filing a revision petition under Section 44 before the Industrial Court, the Petitioner cannot approach this Court by filing a

writ petition.

3 Learned Advocate for the Petitioner submits, on instructions, that he desires to withdraw this petition with liberty to file a revision petition under Section 44.

4 Considering the above, this Writ Petition is disposed of as withdrawn with liberty as prayed for.

kps

(RAVINDRA V. GHUGE, J.)