

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 2888 OF 2014**

Mrs. Masabi Sharmuddin Ulbati

....Petitioner.

Vs.

Maharashtra Pollution Control Board

....Respondent.

Ms. Anita Wakchaure i/by Mr. Vijay R. Shinde & Sarala V. Shinde for
the Petitioner.

Mr. Vinayak Palande i/by Mr. S.A. Oak for Respondent No.1.

**CORAM : ANOOP V. MOHTA AND
RAVINDRA V. GHUGE, JJ.
DATE : 27 MARCH 2017.**

ORDER:-

1. This matter is heard for some time.
2. The Petitioner indicates from the document at Page No.17 that there was employer-employee relationship between the Petitioner and the Respondent. The Respondent has taken a plea that the Petitioner is not its employee and there is no employer-employee relationship. The Petitioner is terminated from service in December 2013.

3. We find that such disputed issues cannot be decided in our Writ jurisdiction.

4. In the above background, the learned counsel for the Petitioner submits, on instructions, that the Petitioner desires to withdraw this Petition with liberty to raise an industrial dispute under Section 2(A) of the Industrial Disputes Act, 1947 (for short, “the ID Act”).

5. In the light of above, this Writ Petition is disposed of as withdrawn, with liberty as prayed for.

6. Since Section 2(A) of the ID Act does not prescribe limitation, the Petitioner would be at liberty to raise an industrial dispute, as expeditiously as possible and preferably within six weeks from today.

7. All contentions of the litigating side are kept open.

(RAVINDRA V. GHUGE, J.)

(ANOOP V. MOHTA, J.)