

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.658 OF 2017

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Prothonotary's orders	Court's or Judge's orders
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Mrs.Neeta V. Masurkar for the petitioner

None for the respondent

CORAM : K. K. TATED, J.

DATE : MARCH 17, 2017

P.C.:

1 Not on board. At the request of Advocate for the petitioner, matter is taken on board for urgent orders.

2 By this petition, under Article 226 and 227 of the Constitution of India the Petitioner challenges the order dated 7.1.2015 passed by Presiding Officer, Central Government Industrial Tribunal No.2, Mumbai below Exhibit-16 in Reference No.CGIT-2/26 of 2011.

3 The learned counsel for the petitioner submits that there is urgency in the present matter because the next date for cross-examination before the Tribunal is on Monday, 20.3.2017. She submits that till next date, further proceeding in reference be stayed.

4 It is to be noted that in the present proceedings, impugned order was passed by the Tribunal on 7.1.2015. Thereafter, petitioner preferred the present Writ Petition before this court on 3.3.2017. There is no satisfactory explanation in the petition why there was delay on the part of petitioner for more than 2 ½ year in preferring the present Writ Petition. On this ground only petitioner is not entitled to any relief at present in the present Writ Petition without any notice to other side. Hence, following order is passed:

- a) Office is directed to issue notice before admission to the respondent, returnable after 4 weeks.
- b) In addition to usual mode of service, petitioner is permitted to serve Respondents along with entire proceedings by private notice either by registered post A.D. and/or by hand delivery and file Affidavit of Service to that effect.
- c) The petitioner is directed to remove all office objections within three weeks, failing which the writ petition shall stand dismissed without further reference to the court.
- d) At present, no ad-interim relief.

JUDGE