

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

935. WRIT PETITION 9440 OF 2018

Adinath Rabhaji Honde ... Petitioner
Versus
Sonali Suresh Waghmare and others ... Respondents

Mr. H.D. Deshmukh, Advocate for petitioner.

Coram : N.M. Jamdar, J.

Date : 11 December 2018.

ORAL ORDER:

1. By this petition, the petitioner has challenged the order passed in Application (W.C.) No. 30 of 2016 dated 23 May 2018 by the learned Commissioner for Employees' Compensation/Judge, Labour Court, Ahemadnagar, rejecting the application filed by the petitioner who is the respondent in this application, for joining certain parties as opponents.

2. The learned Commissioner while rejecting application has observed that the applicants are in carriage of the proceedings and burden lies on the applicants to prove employer and employee relationship and occurrence of the accident out of and during the course of the employment. In view of this observation, if the

applicants have chosen not to join certain persons and then it is the choice of the applicants as pointed out by the learned Commissioner, at their risk and consequences. As far as the petitioner is concerned, all the contentions of the petitioner in respect of his liability are open to be considered at the time of hearing of the application.

3. The Writ Petition is disposed of.

N.M. Jamdar, J.