

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

938. WRIT PETITION No. 9483 of 2018

Chief Executive Officer, Z.P. Ahmednagar ... Petitioner
Versus
Anil Uttamchand Sundecha ... Respondents

Mr. S.T. Shelke, Advocate for petitioner.

Mr P.V. Barde, Advocate for respondent.

Coram : N.M. Jamdar, J.

Date : 27 November 2018.

ORAL ORDER:

1. Heard the learned Counsel for the parties.
2. The petitioner has challenged the order passed by the learned Labour Court, Ahmednagar, rejecting application below Exhibit 5 dated 27 April 2015, order passed below Exhibit C-29 on 5 August 2016 and order passed below below Revision (ULP) No. 4/2017 on 16 March 2018.
3. Consequence of the impugned orders is that the finding

of part I of the award about fairness of the inquiry has been held against the petitioner. Considering the facts and circumstances of the case and the decision of the Apex Court in the case of *Cooper Engineering Limited Vs. Shri P.P. Mundhe*, reported in *AIR 1975 Supreme Court page 1900*, the challenge of the petitioner to the Part I of the Award is kept open to be considered alongwith the challenge to the final award.

4. With this clarification, the writ petition is disposed of.

N.M. Jamdar, J.