

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 1055 OF 2018

MARIA PERPET D'SOUZA., ... Petitioner

Versus

VIKVINS CONSULTANTS PVT. LTD., ... Respondent

Adv. Shivraj Gaonkar for the Petitioner.
Adv. Mandar D. Naik for the Respondent

Coram:- C. V. BHADANG, J.

Date:- 11th December 2018

Oral Order:

Shri Gaonkar, the learned counsel for the petitioner, on instructions, seeks leave to withdraw the petition with liberty to challenge the impugned order in a petition challenging the final award in the event it is adverse to the petitioner. The petition is disposed off as withdrawn with liberty as prayed.

2. At this stage, Shri Gaonkar, the learned counsel for the petitioner submits that as the respondent has added a new ground of defence on the maintainability of the reference, on the ground that the petitioner is not a workman, the petitioner will have to appropriately amend the claim petition to incorporate pleadings to show that the applicant/petitioner is a workman under section 2(s) of the Industrial Disputes Act, 1947. In that view of the

matter, liberty is granted to the petitioner to file such an application for amendment. If such an application is filed, the Labour court shall decide the same on its own merits and in accordance with law. In the circumstances, there shall be no order as to costs.

C. V. BHADANG, J.

ap/-