

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 4310 OF 2018

Shri Kunal Suhas Sonawane

...Petitioner

Vs.

Walchandnagar Industries Ltd. & Anr.

...Respondents

Mr.Bharat Gadhavi I/b. Tejesh Dande & Associates for Petitioner.

Mr.Rahul Nerlekar for Respondent No.1.

CORAM : S.C. GUPTE, J.

DATE : 26 JUNE 2018

P.C. :

The Petitioner in the present petition challenges a show cause notice issued to him by the Respondent employer concerning an incident of an alleged misconduct. Whilst the complaint was pending before the Industrial Court at Pune, an interim application was taken out in the complaint by the Petitioner for stay of the departmental enquiry. The application was rejected by the Industrial Court. That order is challenged in the present petition. Since we are concerned in the present petition with a show cause notice and a departmental enquiry in pursuance of such notice, the impugned order of the Industrial Court refusing to stay departmental enquiry proceedings cannot be found fault with. Even if it is the case of the Petitioner that there is not even a remote connection between the duties performed by the Petitioner and the charge levied against him in the charge sheet, that is a matter to be contested in the departmental enquiry. There is nothing wrong in the observations of the Industrial Court in the impugned order that, if at all, the Petitioner has been issued any charge sheet for initiation of a departmental enquiry, the same must reach its

logical conclusion. In the premises, there is no merit in the petition. The petition is dismissed.

(S.C. GUPTE, J.)