

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

WRIT PETITION NO.9689 OF 2017

Mrs.Ujwala Balkrishna Shirodkar	.. Petitioner
Vs.	
Sindhudurg Zilla Parishad Arogya Seva Karmachari Sahakari Pat Sanstha Ltd.	.. Respondent

Mr.Sanjiv Punalekar with Mr.Balraj Kulkarni i/b PRS Legal for the petitioner.
Mr.Sangramsinh Yadav for the respondent.

CORAM : A.K. MENON, J.

DATED : 3RD APRIL, 2018.

P.C. :

1. By this writ petition, the petitioner seeks to challenge the order dated 9th January, 2017 passed by the Industrial Court dismissing Revision Application which was directed against the judgment and order dated 22nd January, 2007 by which Complaint (ULP) No.30/2005 on a preliminary issue was partly allowed and the final judgment and order dated 21st January, 2010 dismissing the complaint.

2. The facts as they arise involve allegations of mis-appropriation Rs.54,112/- towards her claim for difference in wages when the respondents had denied that she was entitled to receive such wages and alleged difference in salary. The charge was held to have been proved against the present

petitioner. Learned counsel appearing for the petitioner states that the only issue that arise for consideration is failure of the respondents to examine the signatories of the cheque which was admittedly encashed by the petitioner

3. This is an issue which was not raised before the Labour Court or Industrial Court and in the circumstances I do not consider it proper to permit the petitioner to urge this ground for the first time in this Court. There is nothing to show that the findings arrived at by the Industrial Court are perverse or illegal. In the circumstances the writ petition cannot be entertained. Hence I pass the following order :

- (a) Writ petition is dismissed.
- (b) No order as to costs.

(A.K. MENON,J.)