

22- WP 3069 of 2018

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

WRIT PETITION No. 3069 OF 2018

Shri Steven Mark Serrao

...Petitioner

Vs.

Wipro Business Services

...Respondent

Mr. Prashant C. Kamble for Petitioner

Mr. Hemanshu Shinde i/b. Mr. Sachin Daga for Respondent No.1

CORAM : SMT. SADHANA S. JADHAV, J.

DATE: OCTOBER 15, 2018

P.C.

1. Heard. Rule. Rule made returnable forthwith with the consent of the parties.
2. The Petitioner had impugned the order dated 15.4.2017 passed by the Labour court in Reference No. 305 of 2015. It appears that the Respondent herein was not heard by the Labour Court. It appears to be an ex-parte order.
3. In view of this, it would be necessary to remand back the matter to the Labour Court for adjudication in accordance with law and on merits of the matter.

4. Both the respective counsels have fairly conceded that the matter needs to be remanded back and decided on merits.
5. In view of this, the order dated 15.4.2017 passed by the Labour Court, Pune is hereby quashed and set aside. The issues and contentions of the parties are kept open. The matter be decided on merits without being influenced by any of the observations made in the order dated 15.4.2017.
6. Writ petition is allowed. Rule made absolute in the above terms. The complaint be decided on or before 30th June, 2019.
7. The parties to appear before the court on or before 27th November, 2018.

[SMT. SADHANA S. JADHAV, J.]