IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION

WRIT PETITION NO.1462 OF 2018

Anup Textiles And Another … Petitioners
Versus
State of Maharashtra And Others … Respondents

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Mr. Prakash V. Dhopatkar for the Petitioners.
Ms. Vaishali Nimbalkar, AGP for Respondent Nos.1 to 6.
Mr. Avinash Jalisatgi I/b Mr. Amol B. Desai for Respondent No.7.

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CORAM : S.C.GUPTE, J.

DATE : 13 JUNE 2018

P.C. :

. This petition challenges an award passed by the Labour Court at Thane on a reference as also the subsequent orders passed by the authorities, such as Assistant Commissioner-Labour and Tahsildar, Bhiwandi for certificate of recovery and attachment. The impugned award directs reinstatement of Respondent No.7 in the employment of the Petitioners with full back wages and continuity of service. The main grievance of the Petitioners appears to be that they were justified in not remaining present and yet the impugned award came to be passed *ex parte* against them. After the matter is heard at some length, learned Counsel for the Petitioners seeks to withdraw this petition with liberty to apply to the Labour Court at Thane for setting aside of the *ex parte* order and restoring the reference on file. The petition is dismissed as withdrawn with liberty as prayed. All rights and contentions of the parties on merits on any

such application for setting aside the impugned award and restoration of the reference on file by the Petitioners, are kept open.

(S.C. GUPTE, J.)