

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.18 OF 2018

The Registrar

University of Mumbai

... Petitioner

Versus

Ms. Priyanka Prashant Chaugule

... Respondent

.....

Mr. P.M. Palshikar for the Petitioner.

Mr. S.C. Naidu a/w Mr. Manoj Gujar I/b Mr. T.R. Yadav for the Respondent.

....

CORAM : S.C.GUPTE, J.

DATE : 25 JUNE 2018

P.C. :

. Heard learned Counsel for the parties.

2 This petition challenges an interim order passed by the Industrial Court at Mumbai in Misc. Application for condonation of delay in filing the complaint of unfair labour practices. The Petitioner would like this Court to consider as to whether it is open to the Industrial Court, as a matter of law, to do so, when the delay is yet to be condoned and when the complaint is yet to be heard even at a *prima facie* stage. It is an admitted position that the Respondent's services have already stood terminated as of 30 June 2017. In that case, the impugned order dated 14 July 2017 directing the Petitioner herein not to terminate her services is practically infructuous. This position is contested by the Respondent herein. It is her case that she is working even today in the Accounts Department of the

University. Be that as it may, considering the fact that the application for condonation of delay, in which the impugned interim order came to be passed pending such application, itself has been disposed of, there is no practical purpose for entertaining this petition. The petition in that sense is really infructuous and is disposed of accordingly.

3 It is made clear that by this order, the Court does not even purport to decide the question raised by the Petitioner herein. The petition is disposed of simply on the ground that it has become infructuous. Let the question be considered in an appropriate petition in future.

(S.C. GUPTE, J.)