

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CIVIL APPLICATION [O] NO.1464/2018 IN MISC. CIVIL APPLICATION ST. NO.9371/2018
[FOR REVIEW] IN WRIT PETITION NO.3866/2017 [D]
[Western Coalfield Limited and one .vs. Shri Pramod Kumar Bhattad]

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Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

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Shri A.M. Ghare, Advocate for applicants,
Shri A.M. Sudame, Advocate for respondent.

CORAM : P.N. DESHMUKH AND
MRS. SWAPNA JOSHI, JJ.

DATED : OCTOBER 15, 2018.

Heard.

This is an application for condonation of delay in filing review application.

For the grounds mentioned in the application, the delay is found to be bona-fide. In the circumstance, the application is allowed.

MISC. CIVIL APPLICATION ST. NO.9371/2018

Learned counsel for respondent/original petitioner makes a statement that he shall be referring to Writ Petition No.5967/2017 and therefore does not want to file affidavit-in-reply.

Learned counsel for applicants/original respondents by referring the rules of Coal India Executive Conduct, Discipline and Appeal Rules, 1978 submits that the same are in *pari materia* with the rules of State Bank of India permitting the employer to continue with the departmental enquiry even after retirement or superannuation of employee.

Learned counsel for respondent/original petitioner submits that Writ Petition No.5967/2017 is also pending before the Division Bench of this Court wherein there is a stay to the departmental enquiry.

Learned counsel for both the sides submit that if that issue is considered along with the present review application, present application can be worked out.

By consent, stand over after three weeks.

JUDGE

JUDGE