

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 17451 of 2004

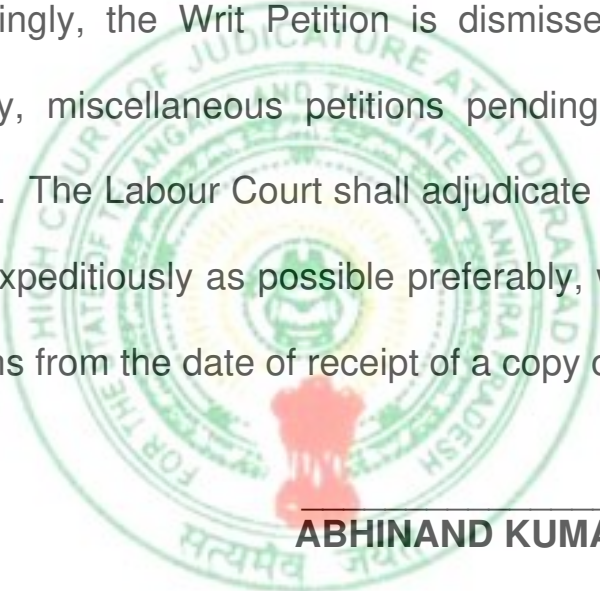
ORDER:

1. This writ petition is filed aggrieved by the order dated 17.2.2004 passed by the Labour Court in I.A.No.210 of 2003 impleading the petitioner herein as 2nd respondent in M.P.No.60 of 2002.

2. It has been contended by the learned Counsel for the petitioner that the petitioner purchased the Jaswal Granites Company in public auction conducted by Debt Recovery Tribunal, and it has no connection with the petitioners in M.P.No.60 of 2002, and inspite of the fact that there is no master and servant relationship between the petitioner herein and the petitioners in M.P.No.60 of 2002, the petitioners in M.P.No.60 of 2002 filed I.A.No.210 of 2003 seeking to implead the petitioner herein as party respondent to M.P.No.60 of 2002. The Labour Court allowed the said I.A.No.210 of 2003. Challenging the same, the present writ petition is filed. Further, it has been contended by the learned Counsel for the petitioner that on 28.9.2004, this Hon'ble Court was pleased to grant interim stay of all further proceedings, and by virtue of the said interlocutory order, M.P.No.60 of 2002 could not see the light of the day.

3. This Court having considered the above submissions, is of the view that the petitioner was impleaded only as a party to M.P.No.60 of 2002, and it may not cause any prejudice to the petitioner herein. It is always open for the petitioner herein to contest M.P.No.60 of 2002 and demonstrate before the Labour Court that there is no master and servant relationship between the petitioner herein and the petitioners in M.P.No.60 of 2002. There are no merits in this writ petition.

4. Accordingly, the Writ Petition is dismissed. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed. The Labour Court shall adjudicate the M.P.No.60 of 2002 as expeditiously as possible preferably, within a period of four months from the date of receipt of a copy of this order.



ABHINAND KUMAR SHAVILI, J

17th December, 2018
Nn

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI



Writ Petition No.17451 of 2004
(dismissed)

17th December, 2018

Nn