

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO. 913 OF 2015**

Shri Nitesh Shetye, resident of St. Jose
wado, Kerem, Tivim, Bardez, Goa. Petitioner

Versus

M/s Goa Glass Fibre Ltd., Binani
Buildings, 38, Strand Road Calcutta,
Factory at Colvale, Bardez, Goa. Respondent

Ms. Namrata Namdev Gawde, Advocate for the Petitioner.

Mr. Arunkumar V. Nigalye, Advocate for the Respondent.

CORAM:- C.V. BHADANG, J.

DATE:- 8th APRIL, 2019.

ORAL JUDGMENT:

Heard for some time.

2. By this petition, the petitioner is challenging the order dated 08.05.2015, passed by the learned Industrial Tribunal in Reference No. PIT/48/02. By the impugned order, the Tribunal has refused to grant application (Exhibit-39) for amendment of the written statement, filed by the petitioner. By the proposed amendment, the petitioner intends to incorporate the following paras, after the existing para no. 37(x):

37(xi) That the charge sheets were not signed by a person authorised to do so.

37(xii) The Enquiry Officer was not appointed by a person authorised to do so.

37(xiii) The present permission application is not signed by a person authorised to do so.

3. Mr. Nigalye, the learned Counsel for the respondent, on instructions, states that he has no objection for amendment as proposed, by addition of paras 37(xi), 37(xii) and 37(xiii) being allowed.

4. The parties therefore submit that this Court may not record detailed reasons.

5. In such circumstances, by consent of parties, the following order is passed:

O R D E R

- (i) The petition is allowed.
- (ii) The impugned order is hereby set aside.
- (iii) The application (Exhibit-39) for amendment of the written statement, is hereby allowed as prayed.
- (iv) Necessary amendment to be carried out within two weeks from today.
- (v) Needless to mention that the respondent shall be entitled to carry out the consequential amendment to the application under Section 33 of the

Industrial Dispute Act, if so advised.

- (vi) The petition is disposed of in the aforesaid terms, with no order as to costs.

C. V. BHADANG, J.

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