

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.1988 OF 2017

Bajrang Antu Dhonge .. Petitioner.

Vs.

Saksham Pradhikari Tatha
Vibhagiya Vahatuk Adhikshak (PAMAAD) .. Respondent.

Ms.Bhavna Mhatre i/b L.C. Kranti for the Petitioner.

Mr.G.S. Hegde for the Respondent.

CORAM : A.K. MENON, J.

DATED : 27TH FEBRUARY, 2019

P.C. :

1. The challenge in this petition is to the orders dated 23rd November, 2015 passed by the Labour Court in Complaint (ULP) No.104 of 2015 and the order passed by the Industrial Court in Revision Application No.75 of 2018. The petitioner has approached this Court at the interim stage assailing these two orders. He is yet to file a reply to the show cause notice dated 7th September, 2015. Pendency of this petition has delayed further hearing of the departmental proceedings against the petitioner.

2. Today, learned counsel for the petitioner states that no reply is filed yet to show cause notice but the petitioner is willing to file a reply to show cause notice. Ms.Mhatre, learned counsel further submits that the

observations of the Labour Court may come in way of fair decision in the matter. However, she states that reply to show cause notice will be filed within two weeks from today. Accordingly, this petition can be conveniently disposed by passing the following order :

- (i) The petitioner to file a reply to show cause notice dated 7th September, 2015 on or before 12th March, 2019.
- (ii) The enquiry be therefore concluded on the basis of defence set out in the reply and decision in the proceedings shall not be influenced by the observations of the Labour Court and Industrial Court in the revision.
- (iii) Petition is disposed in the above terms.

(A.K. MENON,J.)