

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11079 OF 2018

Sunil Adinath Bogar

.. Petitioner

Vs.

The Kolhapur Urban Co-operative
Bank Ltd. And Anr.

.. Respondents

Mr. Meelan Topkar for the Petitioner.

Mr. K. S. Bapat i/b. Mr. A. H. Fatangare for Respondent no. 1.

CORAM : A.K. MENON, J.

DATED : 20th FEBRUARY, 2019.

P.C. :

1. This matter was circulated on 15th February, 2019. In view of the urgency pleaded it is taken up for admission today. The impugned order records findings that the Labour Court order dated 2nd February, 2010 in Application M.I.R. No. 05 / 1995 whereby the Industrial Court Kolhapur holds that the order impugned therefore be passed by the Labour Court on 2nd February, 2010 in Appeal No. 5 of 2019.

2. The challenge to that appeal was rejected. Learned counsel for the petitioner Mr. Topkar submitted that although the charge sheet relied upon two annexures, copies were not supplied and non-supply of copies has caused great prejudice to the petitioner who was deprived of an opportunity of presenting his case and submitting his defence.

3. The impugned order has dealt with the case of the petitioner in detail. The defence has been considered and it records that the petitioner in cross examination during an enquiry has admitted the incident narrated in the charge sheet. Even the issue urged before me today is non supply of annexure to the charge sheet as having caused prejudice. The petitioner himself has admitted that the annexures had been received. In my view the impugned order is fully justified and nothing has been shown to be perverse which requires interference of this Court.

4. Writ Petition is dismissed. No costs.

(A.K. MENON,J.)