

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

C.A.O. No.755 of 2019
in
M.C.A. St. No.6247 of 2019 (For Restoration)
in
Rej. Writ Petition No.903 of 2018
(Zankar Haribhau Ukey .vs. Project Officer, Soil and Water Management,
Panlot Project, Vainanga Nagar and another)
with
C.A.O. No.756 of 2019
in
M.C.A. St. No.6246 of 2019 (For Restoration)
in
Rej. Writ Petition No.862 of 2018
(Gajanan Tukaram Bhonde .vs. Project Officer, Soil and Water Management,
Panlot Project, Vainanga Nagar and another)

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

Court's or Judge's orders.

Mr. S.S. Deshpande, Advocate for Applicants/Petitioners
Mrs. U.A. Patil, Advocate for Respondents.

CORAM : Manish Pitale, J.
DATED : May 2, 2019.

These are applications filed on behalf of the original petitioners in these writ petitions for restoration of the petitions and for condonation of delay in moving the applications for restoration. It is pointed out that number of other similar writ petitions were filed and inadvertently office objections in these two writ petitions could not be removed, leading to the dismissal of these petitions on account of non-removal of office objections. It is also pointed out that similar writ petitions were partly allowed by this Court.

2. Hence, for the reasons sated in the

applications, the same are allowed, delay is condoned and the writ petitions are restored to file.

Writ Petition Nos. 903 of 2018 & 862 of 2018

Heard learned counsel for the parties.

2. It is undisputed that the controversy in the present petitions is covered by order passed by this Court in similar writ petitions i.e. Writ Petition No.4302 of 2018 and connected writ petitions.

3. Accordingly, in terms of the said order, the impugned orders are set aside and the Labour Court is directed to decide the complaints of the petitioners in accordance with law. However, if the termination of their services is ultimately held to be illegal or contrary to law, the petitioners shall not be entitled to monetary benefits from the date of the termination of their services till the date of institution of the complaint under Section 28 of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971.

4. Writ Petitions are disposed of in above terms.

JUDGE