

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

WRIT PETITION NO. 74/2019

M/s. Wopolin Plastics Limited
..VS..
Nagpur Plastic Kamgar Sangh & anr.

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

Court's or Judge's orders

Shri V.P. Marpakwar, Advocate for the petitioner
Shri M.V. Mohokar, Advocate for the respondent no. 1
Shri S.A. Ashirgade, Addl. GP for the respondent no. 2

CORAM : Z.A.HAQ, J.
DATED : 25/01/2019

Heard.

The employer takes exception to the order passed by the Industrial Court, by which the application (Exh. 118) filed by the Union seeking permission to amend the complaint is allowed. By the proposed amendment, the complainant seeks to bring on record certain events/developments which according to the complainant are required to be brought on record so that there can be proper adjudication of the liability. The submission on behalf of the petitioner – employer is that there is no explanation for not taking steps to bring on record the facts which are now proposed to be brought on record, earlier.

I find that though there is delay on the part of the complainant in filing the application seeking permission to amend the complaint, the employer has not been able to point out the prejudice which would be caused to it.

The learned advocate for the respondent no. 1 – complainant has submitted that the employer will be getting full opportunity to defend itself.

Considering the facts of the case, I find that the impugned order is proper and does not require interference by this Court in the extra-ordinary jurisdiction.

The writ petition is **dismissed**. In the circumstances, the parties to bear their own costs.

JUDGE

Ansari