

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO.12553 OF 2017**

Shri. Nityanand Joseph Amal

...Petitioner

vs

Mercedes Benz India Pvt. Ltd.

...Respondent

.....

Mr. Nitin A. Kulkarni, for the Petitioner.

Mr. D.J. Bhanage, a/w. Mr. Mayur D. Joglekar, for the Respondent.

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CORAM : S.C. GUPTE, J.**DATED: 3 MARCH, 2020****P.C. :**

. This writ petition challenges a revisional order passed by the Industrial Court at Pune. By the impugned order, the Industrial Court allowed the revision and set aside an order passed by the Labour Court at Pune on an application for condonation of delay and also for framing and deciding a preliminary issue.

2. After the matter is heard at some length, it is agreed between the parties that the impugned order of the revisional court, as well as the original order of the Labour Court at Pune passed on 26 September 2016, may be quashed and set aside and Miscellaneous (ULP) No.41 of 2010 and Exhibit No.45 may be remitted to the Labour Court at Pune for a fresh hearing in accordance with law. It is ordered accordingly. The Labour Court shall permit the original Applicant to file additional pleadings in the complaint of unfair labour practice pending

before the Labour Court at Pune. The court shall also permit the parties to lead evidence, as they may choose to do. The Labour Court is requested to dispose of both applications as expeditiously as possible. The writ petition is disposed of in the above terms.

(S.C. GUPTE, J.)

Smita
Gonsalves

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