

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

WRIT PETITION NO. 8071 OF 2019

Yavatmal District Central Co-op. Bank Ltd. thr. Its Authorized Officer,
Shri.S.S.Raut

vs.

State of Maharashtra and 44 others

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

Court's or Judge's orders

Shri. Abhay Sambre,counsel for petitioner.
Smt. H. N. Prabhu, AGP for respondents No.1 to 3.

CORAM : MANISH PITALE J.

DATED : 20/01/2020

By this writ petition, the petitioner (original plaintiff) has challenged order dated 16/08/2019, passed by Joint Civil Judge Senior Division, Pusad, whereby an application under Order 1, Rule 10 of Civil Procedure Code, 1908 (CPC) filed by respondents No.5 to 45, has been allowed and they have been directed to be added as defendants in the suit.

2. The reason why the respondents No.5 to 45 applied under Order 1, Rule 10 of the CPC before the Court below was that they were employees of the Sugar Factory and there were orders passed by the Labour Court in their favour in respect of gratuity payable to them.

3. The Court below in paragraphs 11 and 12 has found that since the suit concerns the question of

sale of some property of the Sugar Factory, it would have a direct bearing on the liability of the payment of gratuity to the said respondents. On this basis the application was allowed.

4. On a close reading of the order passed by the Court below, this Court finds that no error is attributable to the same and therefore, it is found that the writ petition is without any merits. Accordingly, it is dismissed. No order as to costs.

JUDGE