

IN THE HIGH COURT OF BOMBAY AT GOA**MISC. CIVIL APPLICATION NO.102 OF 2021
IN
STAMP NUMBER (MAIN) NO.1508 OF 2020 (FILING NO.)**

ESSENTIAL PERSONNEL
SERVICES REP. BY VIKRAM DESSAI PETITIONER

VERSUS

R. INDRAN & ANR. RESPONDENTS

Shri V. Menezes, Advocate for the Petitioner.
Shri Salil Saudagar, Advocate for the Respondent No.1.
Shri C.A. Ferreira, Advocate for the Respondent No.2.

Coram:- DAMA SESHADRI NAIDU, J.

Date:- 7 APRIL 2021

P.C. :

On 24.02.2020, this Court refused to entertain the Writ Petition. It was on the grounds that the petitioner had efficacious alternative remedy. Therefore, on that date, through an oral order this Court disposed of the Writ Petition holding that “the impugned order dated 31.08.2020 and the communication dated 08.01.2020 addressed to the Manager, State Bank of India, Mapusa Branch, shall not be given effect to for six weeks from today, so that the petitioner could explore his remedial avenues as provided under the Employees Provident Funds and Miscellaneous Provisions Act, 1952.”

2. Now, the petitioner has come up with this application for extension of time this Court granted earlier. According to the applicant's counsel, his counter part in Mumbai, who was instructed to file the appeal before Central Government Industrial Tribunal No.2, has been affected with COVID and hospitalised. That apart, Central Government Industrial Tribunal No.2 has no full-time Presiding Officer. Therefore,

according to the learned counsel, the Central Government Industrial Tribunal No.1, Nagpur, has been given additional charge. So, again if the petitioner files the appeal it is to be taken up for hearing in Nagpur. Given the prevailing pandemic and the logistical problem, as the Tribunal has no virtual hearing facility, it will be a herculean task for the petitioner to have the matter heard immediately. Therefore, he wants the Court to extend the time by eight more weeks.

3. Appreciatively, both the learned counsel for the respondents-Shri Salil Saudagar for the first respondent and Shri C.A. Ferreira for the second respondent-have informed me that given the peculiar circumstances it would be inappropriate for them to oppose the petitioner's prayer.

I, therefore, allow the Misc. Civil Application and extend the time already granted from 24.02.2021 by eight more weeks from today.

DAMA SESHADRI NAIDU, J.

NH