

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

MISC. CIVIL APPLICATION NO.370 OF 2018

IN

MISC. CIVIL APPLICATION NO.1000 OF 2016 (D)

IN

WRIT PETITION NO.1107 OF 2016 (D)

Manager, Pandharkawada Sahakari Kharedi Vikri Samiti Ltd., and others

Vs.

Madhav s/o Ramchandra Pulajwar and another

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

Court's or Judge's orders

Mr. A. M. Ghare, Advocate with Mr. S. G. Zinjarde, Advocate for the
applicants/petitioners.

Mr. C. V. Jagdale, Advocate for non-applicant/respondent No.1.

CORAM : AVINASH G. GHAROTE, J.

DATE : 07/12/2021

Heard Mr. Ghare, learned counsel for the
applicants/petitioners.

The application seeks restoration of the review
application, which came to be dismissed by the order
dated 24.02.2018, for non appearance of the parties.
That apart, order dated 24.02.2018, also indicates, a
finding recorded by this Court that no ground for review
is made out. The application for restoration of the review
petition, merely seeks to explain the absence of the
lawyer on 24.02.2018 by saying that the counsel was
required to go along with his son for certain discussions
regarding the preparation of the examinations.

Mr. Ghare, learned counsel for the applicants
submits that since the amount is already deposited, the
matter can be remanded back to the Labour Court to be

decided expeditiously. The question again is why the respondent, who is now 71 years of age, should be subjected to another round of litigation which may continue for years together. In my considered opinion, once the respondent, has fought a round of litigation successfully till this Court, there is no logical reason why the matter needs to be remanded back, specifically, when the order dated 24.02.2018, clearly holds that no ground for review is made out. For the reasons above, I do not deem the present matter to be a fit case to be restored, considering which, the application is dismissed.

JUDGE

Sarkate