

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

WRIT PETITION NO.7833 OF 2017

Dileep Balkrishna Navatia
Vs.
Maniram Jaipal Yesne and others

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

Court's or Judge's orders

Mr. R. P. Joshi, Advocate for petitioner.
Mr. S. B. Dhande, Advocate for respondents.

CORAM : AVINASH G. GHAROTE, J.
DATE : 17/12/2021

Heard Mr. Joshi, learned counsel for the petitioner and Mr. Dhande, learned counsel for the respondents.

2. The petitioner states on oath that the Factory was closed in the year 2000, considering which, the finding in para 3 of the impugned order that the petitioner was served at the registered address given in the form by RPAD on account of not claiming the envelope when sought to be tendered, does not appear to be correct. That the Factory was closed in the year 2000 is not disputed by Mr. Joshi, learned counsel for the petitioner, considering which, it is apparent that the setting of the proceedings *ex party* against the petitioner could not have been done, in view of which, the impugned order dated 16.09.2017 is hereby quashed and set aside.

3. The learned Labour Court is directed to hear and decide Misc PGA No.52/2017 within a period of three months from today.

4. The parties shall appear before the learned Labour Court on 20.12.2021.

5. The petition is disposed of, in the above terms. No costs.

JUDGE

Sarkate