

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

WRIT PETITION NO. 2352 OF 2018

M/s. The Himalaya Drug Company -- Petitioner
Vs.
Dominic Savio S/o Cajetan Lucas Azavedo -- Respondent

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

Court's or Judge's orders

Mr. A.P. Wachasundar, Advocate for Petitioner
Mr. V.P. Markpakwar, Advocate for Respondent

CORAM : MANISH PITALE, J.

DATE : 26th SEPTEMBER, 2022

By this petition, the petitioner challenged order dated 15/01/2018, passed by the Labour Court at Nagpur, on issue No.4 pertaining to the question, as to whether the petitioner had proved misconduct of the respondent – employee before the Court.

2. On 23/04/2018, this Court issued notice and granted interim relief in terms of prayer clause No.iv, meaning thereby that further proceedings before the Labour Court in the pending reference were stayed.

3. It is brought to the notice of this Court by the learned counsel appearing for the respondent – employee and it is an admitted position that the Labour Court had already passed

Award on 13/04/2018, partly allowing the reference in favour of the respondent – employee. Since this fact was not brought to the notice of this Court, the order dated 23/04/2018, while issuing notice in the present writ petition granted interim relief, as noted above.

4. Since the Labour Court has decided the reference itself by passing the Award dated 13/04/2018, the present writ petition is rendered infructuous. It is dismissed as such.

5. Needless to say, the petitioner would have the liberty to challenge the aforesaid Award of the Labour Court in accordance with law.

JUDGE