

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Writ Petition No. 1922 of 2022

[Zilla Parishad, Bhandara through its Chief Executive Officer, Bhandara and anr. ..vs.. Fulchand Nathu Hinge]

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

Court's or Judge's orders

Ms. Meghna Munshi, Advocate for the petitioners

CORAM : ROHIT B. DEO, J.

DATED : 22-4-2022

What is assailed in the petition is notice dated 1-10-2019 issued by the Industrial Court in Miscellaneous Recovery Application (ULP) 4/2019.

2. In the recovery proceedings, instead of appearing in response to the notice received, the petitioner - Zilla Parishad, Bhandara has directly approached this Court seeking "interim stay" to the recovery proceedings.

3. Interestingly, there is no prayer even to quash the proceedings and the only prayer is that interim stay be granted.

4. Be that as it may, the ground on which the relief is sought is that the Supreme Court is considering the entitlement of similarly situated employee.

5. It is not in dispute that in so far as the applicant at whose behest the recovery proceedings impugned are instituted, he is not a party to the pending proceedings in the Supreme Court. Learned counsel, Ms. Munshi informs that an application to include the name of the applicant, Fulchand Hinge is preferred in the Supreme Court.

6. I do not see any reason to grant interim stay. Such a course is wholly impermissible, particularly since there is no substantive order challenged or that matter any substantive relief prayed.

7. The petitioner is at liberty to either approach the Industrial Court or to pursue the remedy which is already availed.

8. The petition is dismissed.

JUDGE

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