



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 12480 OF 2023
IN WP/13249/2022**

**BHUSAWAL PEOPLES CO-OPERATIVE BANK LTD. THROUGH ITS
LIQUIDATOR
VERSUS
PRAKASH BHALCHANDRA PATIL**

...
Mr. Vijay B. Patil, Advocate for Applicant
Mr. N.S. Shah, Advocate h/f Mr. Swapnil Patil, Advocate for
Respondent

...
**WITH
CIVIL APPLICATION NO. 12481 OF 2023
IN WP/13253/2022**

**BHUSAWAL PEOPLES CO-OPERATIVE BANK LTD. THROUGH ITS
LIQUIDATOR
VERSUS
SATISH PRALHAD PATIL**

...
Mr. Vijay B. Patil, Advocate for Applicant
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 15th DECEMBER, 2023

PER COURT :

1. These applications are filed by applicant/petitioner seeking modification of order dated 13/09/2023, passed in both writ petitions, contending that preliminary issue which was challenged by applicant/petitioner before Industrial Court in revision is confirmed by Industrial Court.

2. In both writ petitions common order passed by the

Labour Court on preliminary issue and confirmed by the Revisional Court, was challenged. This Court disposed of both the writ petitions without going into merits of the matter and keeping all the contentions and challenges raised by the parties open, as parties had already led evidence before Labour Court.

3. Heard learned advocate for applicant and learned advocate for respondent.

4. Learned advocate for applicant/petitioner contends that since findings of Industrial Court on preliminary issue can only be challenged before this Court, he will not be in a position to challenge said findings after final decision of the Labour Court. He, therefore, seeks modification of the order passed in writ petitions.

5. Civil applications are disposed off by granting liberty to applicant/petitioner to challenge findings on preliminary issue after final decision of Labour Court.

(NITIN B. SURYAWANSHI, J.)