



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

WRIT PETITION NO.3274 OF 2023

(Amravati Municipal Corporation, Amravati thr. its Commissioner Vs. Farukh Ahmad
Khan Husain Khan)

*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. Kalmegh, Advocate for Petitioner.
Mr. R. D. Wakode, Advocate for Respondent.

CORAM: ANIL S KILOR, J.

DATE: 7th SEPTEMBER, 2023.

The order dated 08.11.2022 condoning the delay in filing complaint under M.R.T.U. and P.U.L.P. Act is under challenge.

2. The only ground raised in this petition is that the objection raised to the tenability of the complaint on the ground that once the employee got superannuated the relationship as employer and employee comes to an end employee cannot maintain any complaint. It is submitted that without recording any reason on such objection the delay has been condoned.

3. I do not find any merit in the said submission for the reason that the same such objection can be raised and decided by the Industrial Court only after the decision on condonation of delay.

4. The petitioner has every right to raise such objection after condonation of delay and in that view of the matter, I do not find any reason to interfere with the order condoning the delay. Accordingly, the writ petition is dismissed.

(ANIL S. KILOR, J.)