



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

WRIT PETITION NO.5691 OF 2023

(Dr. Panjabrao @ Bhausaheb Deshmukh Memorial Medical College and Hospital,
Amravati thr. its Dean, Shri Anil T. Deshmukh Vs. Dadarao Sheshrao Vidhate)

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

Court's or Judge's orders.

Mr. K. P. Mahalle, Advocate for Petitioner.

CORAM: ANIL S KILOR, J.

DATE: 7th SEPTEMBER, 2023.

The application filed by the petitioner for dismissal of Complaint (ULP) No.110/2019 on the ground of tenability, came to be rejected by the Industrial Court, Amravati, holding that the grounds on which the complaint is sought to be dismissed, the same would be considered after giving opportunity to the parties to prove it. The learned Industrial Court has observed thus:

The burden is on both sides to prove their contentions. Presently, I do not find merit in the objection raised by the respondent regarding tenability of the case.

2. From the above referred observation it is evident that the issue of tenability has not been concluded by the learned Industrial Court but it is kept open and after leading the evidence by both the parties, the Court has decided to decide the same.

3. In that view of the matter, I do not find any

reason to interfere with and accordingly the writ petition is dismissed.

(ANIL S. KILOR, J.)

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