

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

WRIT PETITION NO. 82 OF 2023

Nagar Yuwak Shikhan Sanstha and anr __ Vs. __ Dilip Rodbaji Bhandare

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

Court's or Judge's orders

Mr. P.D.Meghe, Advocate for petitioner.

CORAM : AVINASH G. GHAROTE, J.

DATE : 09/01/2023

1] Heard Mr. Meghe, learned counsel for the petitioner.

2] The petition challenges the order dated 12.9.2022 passed by the learned Industrial Court, Nagpur, challenging the same on the ground that there was a delay of 30 years and no sufficient cause has been shown.

3] It is not disputed by the learned counsel for the petitioner that the petitioner was in employment and has been superannuated in 2018. The application has been filed on 18.4.2019. The impugned order indicates that from 2005 till 2019, the question of increase in salary including DA has been agitated by the Respondent as well as other employees before the petitioner, which would indicate that there is continuous cause of action. Even otherwise, the entitlement of employees for DA based upon plea of increase in salary which is payable

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monthly, would be construed as a continuous cause of action, considering which I do not see any reason to interfere. The petition is dismissed. No costs.

JUDGE

Rvjalit