

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.4090 OF 2018

Nandkumar Motiram Chitte

Petitioner

versus

Saptshrung Nivasini Devi Trust Sevakanchi  
Pratsanstha Ltd and others

Respondents

Mr.Yogendra Pendse, Advocate for Petitioner.

Mr.Arfan Sait, APP, for State.

Mr.Shubham Jangam i/by G.R.Agrawal, Advocate for Respondent.

CORAM : PRAKASH D. NAIK, J.

DATE : 24<sup>th</sup> January 2024

PC :

1. Learned advocate for Petitioner in fairness brought to the notice of this Court that Section 42 of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 provides that an appeal would lie against acquittal by Labour Court in its special jurisdiction.

2. Petitioner herein has challenged the order of acquittal passed by Labour Court dated 3<sup>rd</sup> February 2017. This petition was lodged in this Court on 14<sup>th</sup> September 2018. Since then the petition is pending in this Court.

3. In the aforesaid circumstances Petitioner is permitted to withdraw this petition with liberty to prefer appeal by invoking Section 42 of MRTU & PULP Act.

4. Since impugned judgment of acquittal was passed on 3<sup>rd</sup> February 2017, in the event any objection is raised in respect to delay

in preferring appeal, appropriate authority shall consider the fact that Petitioner resorted to the remedy of filing writ petition before this Court which was pending till date.

5. Writ Petition stands disposed off.

(PRAKASH D. NAIK, J.)

MST