



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

CIVIL APPLICATION NO. 1173 OF 2024 IN
WRIT PETITION NO.4711 OF 2017

Manishkumar s/o Jagdish Narayan Mishra

..vs..

Western Coalfields Ltd. and anr.

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

Court's or Judge's orders

Shri J.M. Gandhi, Advocate for the petitioner/applicant.
Shri A.M. Ghare, Advocate for the respondents.

CORAM: VINAY JOSHI AND SMT. M.S. JAWALKAR, JJ.
DATED : 13/06/2024.

Heard.

2. The petitioner/applicant seeks for extension for completion of trial i.e. in Special Case No.3 of 2015 pending on the file of learned Special Judge, Warora for further three months. Rather this urge should have come from the learned Judge as time has already been expired.

3. Be that as it may, the petitioner would submit that till date 9 witnesses have been examined and the trial at the verge of completion. By virtue of interim order, Departmental Enquiry against the petitioner has been stayed from the year 2017. Learned Counsel Shri Ghare appearing for respondent opposed the application by contending that all the material witnesses who would be the witnesses in Departmental Enquiry, have already been examined, and thus, there would be no prejudice if the Departmental Enquiry would commenced.

4. On the other hand, learned Counsel Shri

Gandhi would submit that two Nodal Officers and Investigating Officer have remain to be examined and according to him, evidence of Investigating Officer is material, which may affect. We are not in agreement with said submission however as the trial at the verge of completion, we extend the time till the end of July, 2024.

5. We also record the statement of learned Counsel Shri Gandhi that henceforth they would not seek extension and the Department Enquiry may proceed after lapse of said period.

6. The civil application stands disposed of.

(SMT. M.S. JAWALKAR, J.)

(VINAY JOSHI, J.)

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