

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 18971 OF 2024

Ms. X

.. Petitioner

Versus

Mr. Y

.. Respondent

.....

- Mr. Mihir Desai, Senior Advocate a/w Ms. Anubha Rastogi & Mr. Aditya Joshi, Advocates for Petitioner
- Ms. Rita K. Joshi a/w Mr. Ashok D. Shetty & Ms. Bushra A. Moughal, Advocates for Respondent No. 1
- Mr. Siddharth S. (appearance not readable) i/by BTG Advaya for Respondent Nos. 2 and 3

.....

CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 13, 2025

P. C.:

1. Heard Mr. Desai, learned Senior Advocate for Petitioner, Ms. Joshi, learned Advocate for Respondent No. 1 and Mr. Siddharth, learned Advocate for Respondent Nos. 2 and 3.

2. Petition impugns a very narrow issue. Impleadment of Petitioner in the Statutory Appeal filed before the Industrial Court is in question before me. Petitioner objects to the same.

3. Mr. Desai would persuade the Court that impleadment of Petitioner is not required against her wishes as her role pursuant to inquiry conducted by IESO is over. He submits that Appeal is filed by Respondent No. 1 unnecessarily impleading Petitioner against the order of the Committee. He seeks order from Court to delete the

Petitioner as a party in the Appeal proceeding as she does not wish to be a party. I agree with the submissions made by Mr. Desai.

4. *Per contra*, Ms. Joshi would submit that in the event if Respondent No.1 succeeds in the Appeal and if any observations are made against the Petitioner therein, then she should not thereafter reconsider reversal of her own decision of not being a party and challenge the same.

5. Mr. Desai makes a statement on instructions that Petitioner will not take any steps against the order passed by the Industrial Court and shall accept the said decision in Appeal whatsoever it may be, but she does not wish to be a party to the said Appeal. If such statement is made by Mr. Desai across the bar, I do not see any reason as to why impleadment of Petitioner is required and / or justified in Appeal before the Industrial Court. Impleadment of Petitioner before the Industrial Court is therefore directed to be deleted.

6. Copy of this order shall be placed before the Industrial Court for consideration upon which the Industrial Court shall delete the name of Petitioner from the array of parties in the Statutory Appeal filed by Respondent No. 1. Needless to state that Industrial Court shall dispose of the Statutory Appeal filed by Respondent No. 1 on its merits and in a time bound programme as expeditiously as possible and in any

event within a period of eight weeks from today by passing a reasoned and speaking order.

7. All contentions of parties before the Industrial Court are kept open.
8. Writ Petition is allowed and disposed in the above terms.

Amberkar

[MILIND N. JADHAV, J.]

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by RAVINDRA
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