

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

WRIT PETITION NO. 1049 OF 2024

(Rohit s/o Subhas Babar vs. The State of Maharashtra and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. S.S.Ansari, Advocate for petitioner.
Mr. A.G.Mate, AGP for respondent No.1 and 2.
Mr. Nalin Majithia, Advocate for respondent No.4.

CORAM : SIDDHESHWAR S. THOMBRE, J.
OCTOBER 13, 2025

- 1) Heard learned counsel for the parties.
- 2) Learned counsel for the petitioner would submit that the learned Industrial Court has committed apparent error in considering the matter. The record placed by the petitioner were not considered, and perverse findings were recorded. He further contended that after the order of status-quo the petitioner had worked for 510 days, but such record was not placed before the learned Industrial Court, therefore, prayed to remand the matter to decide it afresh.
- 3) Per contra, learned Assistant Government Pleader for respondent No.1 and 2, and learned counsel for respondent Nos.4, supported the order and contended that the learned Industrial Court dealt with all the issues raised by the petitioner. The petitioner failed to prove his case and no document establishing his entitlement was placed on record.
- 4) I have gone through the order passed by the learned Industrial Court and the documents placed on record. In view of the fact that the subsequent record pertaining to 510 days was

not placed before the Industrial Court by the petitioner, and therefore, to give one more opportunity to the petitioner to prove the case before the learned Industrial Court, solely on the question of entitlement, the matter is remanded to the Industrial Court.

- 5) In view of above, the writ petition is partly allowed. The order dated 31/10/2023 passed by learned Industrial Court, Yavatmal in Complaint (ULP) No.41/2015 is hereby quashed and set aside.
- 6) The matter is remanded back to the learned Industrial Court.
- 7) The petitioner to file an appropriate application before the learned Industrial Court, to which respondents may file their replies. All the points are kept open.

(SIDDHESHWAR S. THOMBRE, J.)