



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

Writ Petition No.1319 of 2023

Dipak s/o Sukhiram Gurukhudde

vs.

Dr. Rajiv s/o Kamlkishor Biyani, Executive Editor, Dainik Matrubhumi, Akola

 Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

Court's or Judge's Orders

Mr. C.A. Joshi, Advocate for the Petitioner.

Ms. Agrawal h/f Mr. P.K. Mohta, Advocate for the Respondent.

CORAM: ROHIT W. JOSHI, J.

DATE : 10th OCTOBER, 2025.

Heard.

02. Application for condonation of delay of 16 days caused in filing of application for restoration of Complaint (ULP) No.48/2012 is rejected vide the impugned order dated 28/08/2018. The petitioner had stated in the application for condonation of delay that his daughter was indisposed and had also produced medical certificate in support of his contention. Though the petitioner also led evidence to substantiate his contention, the application for condonation of delay was rejected. The order passed by the learned Labour Court, Akola demonstrates hyper technical approach.

03. Aggrieved by the order rejecting the application for condonation of delay, the petitioner preferred revision before the learned Industrial Court, Akola, which was also rejected vide order dated 29/08/2022. The order passed by the learned Industrial Court also demonstrates that the principles laid down by the Court for condonation of delay are not followed.

04. In view of the aforesaid order dated 28/08/2018 passed by the learned Labour Court, Akola in Misc (ULP) Delay No.6/2017 and order dated 29/08/2022 passed by the learned Member, Industrial Court, Akola in Revision ULP No.57/2018 are quashed and set aside. The application for condonation of delay being Misc (ULP) Delay No.6/2017 is allowed.

05. Parties to appear before the learned Labour Court, Akola on 17/11/2025. The parties to note that no notice of appearance shall be issued. Since the Complaint (ULP) No.48/2012 pertains to the year 2012, the learned Labour Court is requested to decide the restoration application at the earliest and in any case before 20/12/2025. In the event, the restoration application is allowed and complaint is restored, the same shall also be decided at the earliest and in any case before 30th October, 2026.

Corrected as
per Court's
Order dated
17/10/2025.

06. The writ petition is allowed and disposed of accordingly with no order as to costs.

JUDGE

**sandesh*