



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

WRIT PETITION NO. 5417/2025

HALDIRAM FOODS INTERNATIONAL PVT. LTD., THR. AUTHORIZED SIGN. SRINIVASRAO
S. VINNAKOTA

VERSUS

RAKESH S/O. RAMESHWAR ATKAR AND ANOTHER

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

Court's or Judge's order

Shri Haris A. Khan, counsel for petitioner.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : SEPTEMBER 17, 2025

1. Heard Shri Haris A. Khan counsel for petitioner.
2. The petitioners' challenge is to the order passed by the Labour Court rejecting the application filed by the petitioner for grant of permission to recall the complainant for cross examination. The primary contention of the petitioner is that the complainant respondent no. 2 has laid certain evidence which is beyond the pleadings. It is submitted that the complainant in the complaint case and the respondent no. 2 in the complaint case have acted hand in glove and the petitioner apprehends that the evidence which is laid beyond the pleadings would be taken into consideration.
3. As regards the submission of the petitioner that the evidence beyond pleadings is inadmissible and may not be taken into consideration, it is clarified that the position of law is settled that evidence beyond pleadings cannot be taken into consideration and as such the grievance put forth by the petitioner for recalling the complainant for cross-examination does not survive.

4. In view of this, no indulgence is required under Article 227 of the Constitution of India. Writ petition is accordingly dismissed.

(PRAFULLA S. KHUBALKAR, J.)