



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

WRIT PETITION NO.8264 OF 2025

UJJAWAL ISPAT PRIVATE LIMITED, NAGPUR, THR. AUTHORIZED
DIRECTOR, SURESH KUMAR CHANDANI

VERSUS

VITTHAL S/O PARNU DHALE AND ANOTHER

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. J.S. Duhilani, Advocate for Petitioner.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 22nd DECEMBER 2025

PER COURT :-

1. Heard learned Advocate for the petitioner.
2. By way of instant petition, the petitioner takes exception to the order dated 21.11.2025, passed by Labour Court No.3, Nagpur, in the proceedings bearing PGA. 45/2023, rejecting the application filed by the petitioner/employer for dismissal of the main application.
3. Perusal of record reveals that the respondents have filed an application before the labour court, seeking gratuity under the Payment of Gratuity Act *vide* PGA No.45 of 2023. In the said proceedings, written statements are filed by the respondents and the issues are also framed. At this stage, the petitioner filed an application

for dismissal of the proceedings. The basic contention of the petitioner is that there does not exist any employee-employer relationship in between the respondents and petitioner. Undisputedly, the proceedings before the labour court are fixed for evidence and the parties are entitled to lead their evidence to prove their contentions. In these circumstances, the labour court has rejected the application for dismissal of the main application by categorically observing that existence of employer-employee relationship between applicant and non-applicant will be subject matter of adjudication after evidence of both the parties. In view of this, I do not find any perversity in the impugned order. No interference is warranted with the impugned order. Therefore, the writ petition deserves to be dismissed.

4. Needless to state that the petitioner is entitled to raise the contentions about absence of employee-employer relationship in the proceedings before the labour court.

5. In view of the above, the writ petition is dismissed with no order as to costs.

(PRAFULLA S. KHUBALKAR, J.)

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