



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

Writ Petition (WP) No. 2596 of 2024

Chief Executive Officer, Zilla Parishad, Amravati

Versus

Ganesh Gulabrao Nawale

With

Writ Petition (WP) No. 2197 of 2024

Zilla Parishad, through its Chief Executive Officer, Zilla Parishad,
Amravati and another

Versus

Pradeep Bhaurao Pokale

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri M.G.Rathi, Advocate for the petitioner in both petitions.

Shri C.D.Gawande, Advocate for the respondent in WP
2596/24.

Shri S.T.Harkare, Advocate for the respondent in WP
No.2197 of 2024.

CORAM : PRAVIN S. PATIL, J.

DATED : 28th FEBRUARY, 2025.

Heard for some time to both the parties.

2. In Writ Petition No. 2596 of 2024, the
petitioner is challenging the judgment and order dated
3rd December, 2022 passed by the Controlling Authority

and the Judge, Labour Court, Amravati in Case (PGA) No. 14 of 2020 and in Writ Petition No. 2197 of 2024, the petitioner is challenging the judgment and order dated 19th January, 2023 passed by the Controlling Authority and the Judge, Labour Court, Amravati in Case (PGA) No. 191 of 2022.

3. The respondent-employee has raised preliminary objection in the matter stating that against the impugned order alternate statutory remedy is available to the petitioner to redress their grievance. However, without any justification, as to why petitioner did not file the appeal before statutory forum, directly approach to this Court. He states that, it is a settled law when statutory forum is created by law for redressal of grievances, writ petition should not be entertained ignoring statutory dispensation.

4. The respondent/employee had relied upon judgment of Siddhi Engineering Vs. Regional Provident Fund Commissioner-II reported in 2024(2) Mh.L.J.

792 wherein Hon'ble Division Bench has held that just because limitation period of 120 days, is exhausted, and under the apprehension that appeal will not be entertained by statutory authority cannot be a reason to invoke the powers of High Court to exercise extraordinary jurisdiction under Article 226 of the Constitution of India.

5. Considering the above said judgment, it is necessary on the part of petitioner to satisfy how the present petition can be entertained and decided on merits.

6. Learned counsel for the petitioner seeks time to satisfy this Court on the above said issue.

7. Stand over to **10th March, 2025.**

[PRAVIN S. PATIL, J.]