



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

48 WRIT PETITION NO. 5457 OF 2024

**S.P. GOLDEN TRANSPORT PVT LTD THROUGH ITS AUTHORIZED
SIGNATORY SUKHVINDER RANBEER SINGH PARMAR**

VERSUS

SANJAY RAMA KHURDE AND ANOTHER

...

Mr. Nitin L. Dhobale, Advocate for the Petitioner

Mr. V. R. Mundada, Advocate for Respondent Nos.2

Mr. S. P. Koli, Advocate for Respondent No.1

...

CORAM : AJIT B. KADETHANKAR, J.

DATE : 23.03.2026

PER COURT :-

. Learned counsel for the petitioner would submit that the appropriate remedy for the petitioner is an appeal under Section 30 of the Employees' Compensation Act. He would submit that, inadvertently, the petitioner has filed this writ petition. He further submits that the petitioner has even deposited 50% of the penalty amount against which the petitioner has grievance. The said 50% amount is withdrawn by the respondents/employer. He submits that he may be permitted to withdraw this writ petition with further leave to file the appropriate appeal. He also submits that if the petitioner files such appeal, the point of delay as also the deposit made by the petitioner be taken into consideration.

2. Mr. V. R. Mundada and Mr. S. P. Koli, learned counsel for respective parties do not have any objection for grant of such leave subject to condition that the petitioner satisfies the statutory requirements.

3. In view of the aforesaid submissions, the writ petition is disposed of as withdrawn.

4. The petitioner is at liberty to file the appropriate appeal against the judgment and award impugned in this writ petition. If such appeal is filed, the petitioner may convince the Appellate Court on delay condonation by mentioning the time spent by the petitioner in prosecuting this writ petition for condonation of delay, if any. So also the amount deposited by the petitioner shall be adjusted towards the statutory requirement of deposit for filing of the appeal.

[AJIT B. KADETHANKAR, J.]

PRW