



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
NAGPUR BENCH : NAGPUR.**

**WRIT PETITION NO. 2472 of 2025**

Madan Haridas Nagalkar

vs.

The State of Maharashtra and others.

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Mr. S. M. Vaishnav, Advocate for petitioner.

Mrs. S. S. Jachak, Addl. Govt. Pleader, for respondent nos. 1 and 2.  
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**CORAM :- NITIN W. SAMBRE AND MRS. VRUSHALI V. JOSHI, JJ.**

**DATE :- 6<sup>th</sup> MAY, 2025**

Heard.

2. The challenge in the petition is to the show cause notice dated 12.03.2018 which was initially questioned in Complaint ULP No.32/2018 which was dismissed as not maintainable vide order dated 18.01.2025. The Industrial Court observed that the petitioner is not a workman and as such, the complaint is not maintainable.

3. Once the fact was within the knowledge of the petitioner, during the pendency of the complaint pursuant to the written statement that the petitioner is not a workman, he should have immediately withdrawn the complaint and questioned the notice before the competent forum which he has failed to do.

4. As such, we are *prima facie* of the view that the petition is barred by limitation.

5. However, Mr. Vaishnav, learned counsel appearing for the petitioner states that he shall place on record the copy of the written statement which was submitted before the Industrial Court and the date of filing of the written statement raising the objection to the status of the petitioner as that of workman.

6. Stand over to **17.06.2025**

(MRS.VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)