

Andreza

**IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 358 OF 2021**

GKB Ophthalmics Ltd. Rep. Thr. Its Senior
Manager HR and ADM Cedric Lobo ... Petitioner
Versus
Workmen, Rep. By Goa Trade and
Commercial Workers Union, Thr. Its Gen. ... Respondent
Sec. Rajendra Mangeshkar

Mr. A. Nigalye, Advocate with *Mr. Omkar Kulkarni, Advocate for the Petitioner.*

Mr. Shivraj Gaonkar, Advocate for the Respondent.

**CORAM: SANDEEP K. SHINDE, J
DATED: 13th June, 2022**

P.C.

1. This Petition challenges the Order passed by the Industrial Tribunal created in terms of Article 323 B(2)(c) of the Constitution of India.

2. Learned Counsel appearing for the Respondent has invited my attention to paragraph no. 91 of the Judgment in the case of ***L. Chandra Kumar vs Union Of India & Ors.***¹ In the said paragraph, the Apex Court has observed thus :

“Having regard to both the afore-stated contentions, we hold that all decisions of Tribunals, whether created pursuant to Article 323A or Article 323B of the Constitution, will be subject to the High Court's writ jurisdiction under

1 (1997) 3 SCC 261

Articles 226/227 of the Constitution, before a Division Bench of the High Court within whose territorial jurisdiction the particular Tribunal falls.”

3. In view of the afore-stated observations, Registry to verify and submit whether the Petition would lie before the Division Bench or before the Single Bench.
4. Let the report be filed within two weeks
5. Stand over to 27.06.2022 under the caption “*for orders*”.

SANDEEP K. SHINDE, J