

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4208 OF 2012

GHANSHAM BABURAO BHALERAO
VERSUS
THE DIRECTOR, DIRECTORATE OF FINANCE AND STATISTIC MUMBAI

...
Advocate for Petitioner : Mr. Parag Vijay Barde
Mr. K.G. Patil, AGP for respondent

CORAM : N.W. SAMBRE, J.
DATE : 17TH MARCH, 2015.

PER COURT:

1] Heard.

2] The petitioner was awarded one time compensation of Rs. 27,000/- by the Presiding Officer, Labour Court, Ahmednagar by order dated 28.7.2011 which is questioned in the petition on the ground that in the facts and circumstances of such case, according to Shri Barde, the compensation of an amount of Rs.1,50,000/- should have been appropriate.

3] Shri Barde, in support of his contention has taken me through the order passed by the learned Labour Court.

4] Shri K.G. Patil, learned AGP would urge that the order passed by the Labour Court is just and proper, as according to him, the initial appointment of the petitioner was on 1st July, 1991 for a period of 3 months and he was out employment from 2nd January, 1992, which was questioned by him for the first time in 1996. He would further urge that the compensation of Rs. 27,000/- is just and proper. In support of his

contention, he has also invited my attention to the fact that petitioner has not even not completed 240 days in service and as such, according to him, even the retrenchment compensation is not payable.

5] Having considered the contention of the parties, and the law laid down by the Honourable Apex Court in the matter of “ ***Sardari Lal vs. Chairman, Managing Committee, M.C. Polytechnic and others***” decided on 22.3.2013 in C.A. No. 2699 of 2013 (Special Leave Petition No. 31854 of 2010) and in the matter of “***BSNL Vs. Bhuramal***” reported in ***AIR 2014 SC 1188*** the compensation of Rs. 27,000/- is ordered to be increased to Rs. 50,000/-. Said amount of compensation be paid to the petitioner within within six months from the date of communication of this order.

6] Writ petition stands allowed in above terms. No costs.

[N.W. SAMBRE]
JUDGE.

grt/-