

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.1879 OF 1993

The State of Maharashtra. ..Petitioner
-Versus-
 Balwant Dasrao Deshmukh and another. ..Respondents

Mr.K.M.Suryawanshi, AGP, Advocate for the Petitioners.

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 22nd January, 2015

Per Court:

1 This Writ Petition was admitted on 24.06.1993. Rule on
interim relief was granted. No interim relief, thereafter, has been granted
to the Petitioner.

2 The Office Notes dated 22.03.2012 and 08.05.2012 indicate that the court service notice to the Respondent No.1 herein (Balwant Dasrao Deshmukh) was returned unserved as not found on the given address.

3 Earlier Mr.M.B.Sabnis (now deceased), learned Advocate had
appeared for the Respondent No.1. No appearance has been entered on
behalf of the Respondent No.1 ever since.

4 No steps were taken by the Petitioner as against the unserved Respondent No.1 pursuant to the order of this Court dated 30.03.2012.

5 After passing away of the learned Advocate appearing for the Respondent No.1, the Petitioner has not taken any steps and as such, the matter has proceeded with only as regards the Respondent No.2 (Labour Court), which is a formal party.

6 The learned AGP categorically submits that vide the communication dated 11.03.1996, the Respondent No.1/ employee had declined to report for duties and admittedly, the Respondent No.1 worked only for nine months between 03.11.1983 to 31.07.1984 followed by unemployment for more than thirty years.

7 In the above backdrop, the Respondent No.2 being a formal party, this Writ Petition is dismissed for failure to take steps as against the Respondent No.1. No order as to costs.

(RAVINDRA V. GHUGE, J.)