

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.3876 of 2008 in
LETTERS PATENT APPEAL ST.NO.1558 OF 2008 IN
WRIT PETITION NO.1904 OF 2006

Padamsingh s/o Harisingh Rajput

Applicant

Versus

Maharashtra State Road Transport
Corporation & another

Respondents

None present for the applicant.

**CORAM : R.M.BORDE &
SUNIL P. DESHMUKH, JJ.
DATE : 12th February, 2015**

PER COURT:

This is an application seeking condonation of delay of 107 days occurred in presenting the Letters Patent Appeal.

Heard. For the reasons stated in the application, application deserves to be allowed and same is accordingly allowed. Delay of 107 days occurred in presenting the appeal stands condoned.

Civil Application stands disposed of.

**SUNIL P. DESHMUKH
JUDGE**

**R.M.BORDE
JUDGE**

adb/ca387608

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Appellant

Versus

Maharashtra State Road Transport
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Respondents

None present for the appellant.

**CORAM : R.M.BORDE &
SUNIL P. DESHMUKH, JJ.
DATE : 12th February, 2015**

PER COURT:

1 None appears for the appellant.

2 We have perused the order dated 25.05.1998, passed by the Judge, Labour Court, dismissing the ULP Complaint presented by the complainant challenging the order of termination of his service. The Revision Application tendered by the Complainant has also been dismissed by the Industrial Court by an order dated 23.07.2002. The orders passed by the Labour Court as well as Industrial Court are confirmed by the learned Single Judge while dismissing the writ petition presented by the complainant, being Writ Petition No.1904 of 2006, by order dated 06.09.2007.

3 The learned Single Judge has taken into consideration the contentions raised by the appellant while objecting to the

orders passed by the Labour Court and Industrial Court. The learned Single Judge has observed that, on scrutiny of the evidence and on going through the findings recorded by the Courts below, it is noticed that the misconduct alleged against the appellant in relation to misappropriation of revenue of the Corporation, is established.

4 It is observed that the appellant has participated in the inquiry proceedings and question of fairness of inquiry was considered by the trial Court and a finding has been recorded that the inquiry proceedings have been conducted in a fair and impartial manner. The Revisional Court has confirmed the findings recorded by the Labour Court. The past record of the appellant is also not good.

5 Considering all these aspects, the concurrent orders passed by the Judge, Labour Court as well as the Industrial Court, which have been confirmed by the learned Single Judge while dismissing the writ petition, do not call for interference. The Letters Patent Appeal is devoid of substance.

6 Hence, Letters Patent Appeal stands dismissed. Civil Application No.3877 of 2008 does not survive and stand disposed of.

SUNIL P. DESHMUKH
JUDGE

R.M.BORDE
JUDGE

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