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

WRIT PETITION NO. 3725 OF 1998

Gangaram s/o Diga Baviskar,
Age : 59 years, Occ : Nil,
R/o At Post Gandhili,
Tal.Amalner, Dist.Jalgaon.

...PETITIONER

-VERSUS-

Maharashtra State Road Transport Corporation,
Jalgaon Division, Jalgaon.
Through it's Divisional Controller.

...RESPONDENT

...
Advocate for Petitioner : Shri Vijay Patil.
Advocate for Respondent : Mr.Manoj D. Shinde h/f Mr.M.K.Goyanka.

...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 07th August, 2015

Oral Judgment:

1 The Petitioner was the original Complainant before the Labour Court in Complaint (ULP) No.126/1993. By the judgment dated 17.11.1995, the complaint was partly allowed, reinstatement was granted with continuity, but without back-wages. Revision (ULP) No.12/1996 filed by the Respondent/ MSRTC was allowed by the order dated 09.07.1998 and the judgment of the Labour Court was set aside.

2 The Petitioner continued in service of the Respondent/ MSRTC. He was reinstated much earlier. He retired on attaining the age of superannuation in 1997. The judgment of the Industrial Court is dated 09.07.1998 by which the order of reinstatement was set aside. Obviously this is after the Petitioner retired. The Petitioner, thereafter, has passed away on 26.02.2011.

3 The learned Advocate for the Respondent/ MSRTC, on instructions, submits that the provident fund accumulations have been paid to the deceased Petitioner. The deceased Petitioner had moved the Gratuity Court which granted a sum of Rs.50,192/-. The said amount is calculated and kept ready. However, since the legal heirs of the deceased Petitioner have not submitted a Succession Certificate, the MSRTC is unable to disburse the amount.

4 Considering the above, this petition is rendered purely of an academic interest. I am, therefore, not entertaining this petition and the same is disposed of.

5 In the event, the legal heirs of the deceased Petitioner submit their succession certificate to the Respondent/ MSRTC, the Respondent/

MSRTC shall disburse the amount within a period of SIXTY DAYS from the receipt of the succession certificate.

6 Rule is, accordingly, discharged.

(RAVINDRA V. GHUGE, J.)