

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

LETTERS PATENT APPEAL ST. NO. 6033 OF 2010

Ramesh Jaywant Pakhare

.. APPELLANT

VERSUS

Zilla Parishad, Ahmednagar

.. RESPONDENT

Mr. P.V. Barde, advocate for appellant.

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CORAM : R.M. BORDE &

P.R. BORA, JJ.

DATE : 26th FEBRUARY, 2015.

PER COURT :

1. Appellant presented complaint to the Industrial Court claiming benefits of permanency as well as monetary benefits under Kalelkar award. It was contended by the petitioner that he was employed by Zilla Parishad during the period from December 1974 to October 1979 as a helper in the work shop. Allegations levelled by complainant in the complaint were denied by the employer contending that the complainant has not rendered continuous service of 240 days as helper or mill kamgar. It was also denied that the complainant had rendered service during the period from 1974 to 1979. The learned Industrial Court negatived the contentions raised by complainant that the employer is engaged in unfair labour practice. Complaint has been dismissed mainly on the ground that the complainant has approached after lapse of 22 years from the date of occurrence of the cause. The order passed by learned Industrial Court was subject matter of challenge before learned Single Judge of this Court in Writ Petition No.

7711/2009. The learned Single Judge, on consideration of relevant aspects, was pleased to dismiss the complaint mainly on the ground that the complainant has approached the Court after lapse of more than 22 years and that there is no explanation tendered for such a huge delay. On perusal of orders passed by learned Industrial Judge as well as learned Single Judge, we are of the considered opinion that both the orders are quite reasonable and do not call for any interference. Letters Patent Appeal is devoid of substance hence stands dismissed.

2. Pending civil application, if any, does not survive and stands disposed of.

(P. R. BORA)
JUDGE

(R. M. BORDE)
JUDGE

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