

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

LPAST/14270/2011

THE STATE OF MAHARASHTRA THROUGH GEN MANAGER GOVT  
MILK SCHEME NANDED  
VERSUS  
MADHAV IRBAJI PUYED  
...

Advocate for Appellants : AGP Mrs. M.A. Deshpande  
Advocate for Respondent: Mr.N. K. Tungar

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CORAM : R.M. BORDE &  
P.R. BORA, JJ

Dated : 17<sup>th</sup> JULY, 2015.

PER COURT :-

1 We have perused the order passed by the learned single Judge . The learned single Judge has recorded the finding that, the employee has worked for a period of more than 240 days and that, there is non-observance of provisions of Section 25-F of The Industrial Disputes Act, 1947, while terminating the services of the employee. Learned single Judge has proceeded to allow the Writ Petition and directed respondent to reinstate employee as daily wager. We do not find any error in the order passed by the learned single Judge.

2 Learned Govt. pleader appearing for the State contends that, there is no post available so as to accommodate the employee. It is contended that, number of employees with the

department, as daily wagers, have been retrenched and it would be difficult for the department to comply with the directions issued by the learned single Judge.

3 If that be so, the appellant is not prohibited from acting in accordance with provisions of law. However, the order passed by the learned single Judge does not call for any interference.

4 Appeal is devoid of substance and stands dismissed.

(P.R. BORA, J)

(R.M.BORDE, J)