

kps

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

**WRIT PETITION NO. 4805 OF 2014**

**SHIVLINGAPPA RAMCHANDRAPPA ATNOOR  
VERSUS  
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION COMPANY LTD.  
AND ANOTHER**

...

Advocate for Petitioners : Shri Deshpande Ajay S.

Advocate for Respondent No.1 : Shri Bajaj Anil S.

Advocate for Respondent No.2 : Shri D.S.Manorkar.

...

**CORAM: RAVINDRA V. GHUGE, J.**

**DATE :- 15<sup>th</sup> September, 2015**

Per Court:

1           The Petitioner has challenged the order dated 05.07.2013 by which his entire period of suspension is held to be the period of punishment. He has been acquitted in the criminal proceedings. The impugned order dated 05.07.2013 is based on the rejection of the Second Appeal of the Petitioner by order dated 03.03.2014 bearing Outward No.203.

2           Shri Bajaj, learned Advocate, has pointed out from the order dated 13.12.2014 passed below Exhibit U/1 in Complaint (ULP)

No.44/2009 that the said complaint before the Labour Court was disposed of as settled in the Lok-Adalat dated 13.12.2014 wherein the Petitioner has accepted the order dated 03.03.2014 bearing Outward No.203 and has voluntarily withdrawn the complaint.

3                Shri Deshpande, learned Advocate on instructions, submits that the Petitioner desires to resort to such remedies as may be available in law in the light of his grievance that Complaint (ULP) No.44/2009 which was settled, has resulted in the Petitioner's acceptance of the order dated 03.03.2014. He further submits on instructions that the Petitioner did not desire to withdraw the complaint by accepting the order dated 03.03.2014 as is reflected in the terms of compromise.

4                He, therefore, submits on instructions that the Petitioner desires to withdraw this petition so as to resort to available remedies in law as against the order of the Lok-Adalat dated 13.12.2014 in Complaint (ULP) No.44/2009. Pursuant to the same, the Petitioner may assail the said order dated 03.03.2014 bearing Outward No.203 in the event he succeeds in having the order of Lok-Adalat set aside.

5                In the light of the statements made on instructions, this Writ Petition is disposed of with liberty to the Petitioner to resort to such legal

remedies, if provided in law, in relation to the order of the Lok-Adalat dated 13.12.2014 in Complaint (ULP) No.44/2009.

6           Needless to state, the contentions of the Respondent/Establishment that the Lok-Adalat order is based on the voluntarily withdrawal of the complaint by accepting the order dated 03.03.2014 in terms of the compromise and that a compromise before Lok-Adalat cannot be challenged, are kept open.

**(RAVINDRA V. GHUGE, J.)**