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

WRIT PETITION NO. 8965 OF 2015

KANTILAL MARUTI GOPALGHARE
VERSUS

MAHARASHTRA STATE ROAD TRANSPORT CORPORATION THROUGH
DIVISIONAL CONTROLLER AND AN

...

Advocate for Petitioner : Shri Khandelwal Rajesh K.

Advocate for Respondents : Shri D.S.Bagul.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 02nd September, 2015

Per Court:

1 Shri Bagul, learned Advocate appearing for Respondent/ MSRTC, has placed on record an order dated 26.08.2015 issued by the Respondent/ MSRTC by which the punishment of dismissal for proved misconduct of misappropriation, has been awarded to the Petitioner/ Employee.

2 A copy of the order dated 26.08.2015 is taken on record and marked as Exhibit X for identification.

3 Shri Khandelwal, learned Advocate appearing for the

Petitioner, in the light of Exhibit X, submits that the Petitioner be permitted to withdraw this Writ Petition subject to the liberty of moving an application for amendment before the Labour Court in Complaint (ULP) No.58/2013 so as to challenge the dismissal order dated 26.08.2015 in the said complaint.

4 Shri Bagul has no objection.

5 In the light of the above, this Writ Petition is disposed of as withdrawn with liberty to the Petitioner to seek amendment in Complaint (ULP) No.58/2013 and to assail the dismissal order dated 26.08.2015.

6 Needless to state, after the amendment is carried out, the Labour Court shall decide the said complaint in accordance with law and the procedure applicable.

(RAVINDRA V. GHUGE, J.)