

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2619 OF 2013

Mallikarjun Siddramappa Kalshetti
and anr.

.....Petitioners

: V/S :
The Addl. Director (Medical Services)
and Ors.

.....Respondents

* * * * *

Mr. Drupad Patil, Advocate for the petitioners.

Mr. A.D. Kango, AGP for respondents no.4 and 6.

* * * * *

Coram :- Smt. R.P. SondurBaldota, J.

1st July, 2015.

P.C. :-

1). This petition is directed against the order dated 23rd December, 2010 by which the petitioner's complaint (ULP) No. 270 of 1996 under Items no.4, 5, 6, 9 and 10 of Schedule-IV of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 ("MRTU & PULP Act" for short), was dismissed.

2). The claim of the petitioners essentially was of denial of permanency in service. Undisputedly, the petitioners services came to be subsequently terminated and the petitioners had filed Complaint

(ULP) No. 62 of 2006 and Complaint (ULP) No. 63 of 2006 to challenge their termination. Both the complaints have been dismissed by the Labour Court by separate orders dated 2nd February, 2014. In view of termination of the services, the claim of the petitioners in the present petition seeking permanency in service, does not survive. The petition is therefore dismissed accordingly. In the event, the petitioners succeed in their challenge to termination, it is open for the petitioners to agitate their claim for permanency.

(SMT. R.P. SONDURBALDOTA, J)