

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6029 OF 2012

Chief Executive Officer,
Zilla Parishad, Solapur and anr.

.....Petitioners

: V/S :

Sou. Janabai Bhaurao Gavande

.....Respondent

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Mr. Anand Kulkarni, Advocate for the petitioners.

Mr. Suhas Inamdar, Advocate for the respondent.

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

7th July, 2015.

P.C. :-

1). The petitioner, Zilla Parishad, Solapur challenges, by this petition, concurrent findings of the Labour Court and the Revisional Court, i.e. the Industrial Court as regards the termination of the respondent from service and direction to the petitioner to reinstate her with continuity of service without backwages. The main grievance raised by the respondent in the complaint proceedings filed by her were that the explanation offered by her for remaining absent from duty was not considered while passing the order of dismissal. According to the

respondent, she had delivered a child and was also suffering from illness.

She had produced medical certificate in that connection which had not been considered by the petitioner. The second grievance of the respondent was that, there was no material whatsoever produced by the petitioner to support the inconvenience caused to the general public on account of absenteeism on her part. The Courts below on the basis of the material on record found merit in the complaint of the respondent and held that the enquiry conducted against the respondent was not fair and proper and her termination from service amounted to unfair labour practice. The material on record completely supports the concurrent findings of the Courts below and hence cannot be interfered with by this Court in its writ jurisdiction under Article 227 of the Constitution of India. Hence, the petition is dismissed.

(SMT. R.P. SONDURBALDOTA, J)