

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 61 OF 2015

Shri. Abhijit Satish Pardeshi

.....Petitioner

: V/S :

Kshetriya Adhikari Gunthewari
Department, Pune

.....Respondent

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Mr. Sanjay Kshirsagar, Advocate for the petitioner.

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

3rd August, 2015.

P.C. :-

1). This petition is directed against the concurrent findings of the Labour Court, as well as, the Industrial Tribunal that the petitioner has not rendered 240 days of continuous service to become entitled for permanency. Admittedly, the appointment of the petitioner was temporary and it was extended from time to time between January, 2014 to September, 2014. The entire onus of establishing that he had continuously worked for 240 days during this period was upon the petitioner. He has, however, not been able to produce any evidence in

support, except for the orders issued for extension of his temporary appointment. Mr. Kshirsagar, the learned Advocate appearing for the petitioner, sought to argue that the fact would stand established by the evidence of the respondent. He refers to the deposition of the witness of the respondent who admitted that, the attendance sheets for the months July and August, 2014 carry the name of the petitioner. The sheets show that he had worked for more than 25 days in those months. This evidence of the witness can be of no help to the petitioner in establishing continuous service of 240 days. Hence, there is no infirmity in the impugned order. The petition is dismissed.

(SMT. R.P. SONDURBALDOTA, J)