

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAW) NO.1295 OF 2015

IN

WRIT PETITION NO.6145 OF 2010.

(STATE OF MAH & OTH..VS..CHANDRAPRAKASH JAGOBAJI SHENDE)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : SEPTEMBER 16, 2015.

Heard Shri R.P. Masurkar advocate holding for
Shri S.S. Ghate, advocate for the respondent-employee and
Shri A.M.Deshpande, learned A.G.P. for the petitioners.

The application is filed by the respondent-
employee seeking directions to the petitioners to grant
regularization from 1st May, 1992 along with all the
consequential benefits.

The learned advocate for the respondent-
employee submits that the respondent-employee is entitled
for regularization from 1st May, 1992 along with the
consequential benefits as per the impugned order, however,
the petitioners have granted regularization w.e.f. 22nd July,
2010 which is not in consonance with the directions given by
the Industrial Court. It is further submitted that the condition
No.1 incorporated in the appointment order that the services
of the respondent-employee being temporary, can be
terminated at any time without notice, is also contrary to the
directions given by the Industrial Court.

The learned Assistant Government Pleader has submitted that the services of the respondent-employee are regularized w.e.f. 22nd July, 2010 i.e. date of the order passed by the Industrial Court and it is in accordance with the directions given by the Industrial Court. It is further submitted that the condition No.1 incorporated in the appointment order is also as per the policy of the petitioners.

Considering the facts of the case, the prayer of the respondent-employee for directing the petitioners to regularize the services from 1st May, 1992 and to make available the consequential benefits from 1st May, 1992 cannot be considered at this stage. However, it is clarified that the condition No.1 incorporated in the appointment order will not be invoked and if any contingency arises, the petitioners shall seek permission of this Court before taking any adverse action against the respondent-employee.

The Civil Application is **disposed of** in the above terms. No costs.

JUDGE

RRaut..