

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

WRIT PETITION NO.4053 OF 1995

1 The State of Maharashtra.
Through Deputy Director,
Ground Water Survey and
Development Agency, Anvikar
Building, Adalat Road, Aurangabad.

2 Deputy Director, GSDA,
Anvikar Building, Aurangabad.

...PETITIONERS

-VERSUS-

1 Vithal s/o Deshrath Magre,
Age : Major, Occupation : Service (Watchman),
Deputy Director, Ground Water Survey
and Development Agency,
Aurangabad.
R/o At Post C/o S.Y.Hivrale, Gandhi Nagar,
Aurangabad.

2 The learned Member,
Industrial Court,
Aurangabad.

...RESPONDENTS

**WITH
WRIT PETITION NO.4056 OF 1995**

1 The State of Maharashtra.
Through General Manager,
Government Milk Scheme,
Nanded.

2 The Regional Dairy Development
Officer, Kranti Chowk, Aurangabad.

...PETITIONERS

-VERSUS-

- 1 Dattatraya s/o Namdeo Kakre,
Age : 35 years, Occupation : Worker,
Government Milk Centre,
Kinwat, At present Mal Hipparga,
Post Patoda (B), Tq.Udgir,
District Latur.
- 2 The learned Judge,
Labour Court, Aurangabad.
- 3 The learned Member,
Industrial Court, Aurangabad.

...
Shri S.W.Munde, AGP for the Petitioner/ State.
Shri R.C.Patil, Advocate for Respondent No.1 in WP/4056/1995).

...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 12th August, 2016

Oral Judgment :

1 Respondent No.2 in Writ Petition No.4053/1995 and
Respondent Nos.2 and 3 in Writ Petition No.4056/1995, are not necessary
parties and hence stand deleted.

2 In the first petition, the judgment of the Industrial Court
dated 29.07.1994 vide which Complaint (ULP) No.483/1990 filed by the
deceased Respondent/ Employee has been allowed, is under challenge.

3 In the second petition, the judgment of the Labour Court

dated 27.09.1993 by which Complaint (ULP) No.19/1987 was allowed and the judgment of the Industrial Court dated 21.03.1995 by which Revision (ULP) No.78/1993 was dismissed, are under challenge.

4 The learned AGP submits, on instructions from the officer present in the Court, that in the first petition, the Respondent/ Employee passed away on 24.02.2004 and his son, namely, Raju Vitthal Magre has been given compassionate appointment on 23.10.2007. All benefits under the impugned judgment were made available to the deceased Employee.

5 By recording the said statement, the first petition being Writ Petition No.4053/1995 stands disposed of and Rule is discharged.

6 In the second petition, according to the learned AGP, the Respondent- Dattatraya Namdeo Kakre has passed away on 08.05.2016. He was regularized under the impugned judgments and all benefits were extended to him.

7 Considering the above statement, the Writ Petition No.4056/1995 is also disposed of and Rule is discharged.