

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 689 OF 1997

The State of Maharashtra

1. The Executive Engineer,
Bhandardara Hydero Electric Project,
(Civil Construction Division),
Akole, District Ahmednagar.

..Petitioner

Versus

1. Rajendra Parasaram Tibhe,
Age ..., Post Rajur, Tq, Akole,
District Ahmednagar.

2. Presiding Officer,
II Labour Court, Ahmednagar.

..Respondents

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AGP for Petitioner : Shri S.B.Joshi
Advocate for Respondent 1 : Shri S.T.Shelke
Respondent 2 : Deleted

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CORAM : RAVINDRA V. GHUGE, J.

Dated: October 15, 2016

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ORAL JUDGMENT :-

1. Respondent No.2 is the Labour Court and is, therefore,
deleted from these proceedings.

2. The petitioner is aggrieved by the award dated 27.5.1996,
by which, the Labour Court has allowed Reference (IDA) No.46 of
1993 and granted reinstatement to the respondent with continuity,

but without the backwages.

3. This Court admitted this petition by order dated 3.7.1998 and after recording the statement of the petitioner that the employee has been reinstated in service, prayer for interim relief was rejected.

4. By order dated 26.8.2011, passed by this Court on Civil Application No.9572 of 2011, the petitioner / State was directed to bring the respondent / employee on Converted Regular Temporary Establishment ("CRTE") as per the Kalelkar Award. It is informed that the order of this Court has been implemented.

5. In the light of the peculiar facts as recorded above and as an effect of the impugned award and the orders of this Court, the respondent is in continuous employment from 1.11.1982 onwards.

6. Considering the above, this petition is disposed off and the petitioner is directed to grant such service benefits to the respondent as may be available to him under the Kalelkar award, the Government Resolution dated 24.4.2001 and any other Government Resolution.

7. The Rule is, therefore, discharged.

(RAVINDRA V. GHUGE, J.)

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akl/d