

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5149 OF 1995
(The Deputy Conservator of Forest and another Vs. Suresh Tukaram
Wadekar and another)

Mr.S.D.Kaldate, AGP for the petitioners.
Mr.Manoj Patil h/f Mr.C.K.Shinde, Advocate for respondent No.1.
Respondent No.2 served.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 01/09/2016

PER COURT :

1. Learned AGP places on record the instructions received by him with accompanying documents and copy of the death certificate of the respondent (7 pages), which is marked as Exhibit 'X' for identification.

2. Learned AGP, therefore, submits that the deceased respondent was regularized in service w.e.f. 01/11/1994 and all consequential benefits have been paid to him and would be entitled for retiral benefits.

3. Considering the above and the fact that the deceased respondent has been extended all service benefits, I do not find it necessary to reopen the said issue for considering as to whether the

impugned judgment of the Labour court dated 23.04.1995 is sustainable or not. Moreover, the petitioner was required to exhaust the statutory remedy of preferring a revision petition u/s 44 of the MRTU and PULP Act, 1971. Same has not been done, which would render this petition untenable.

4. As such, this petition is disposed of in the light of Exhibit 'X'.
Rule is discharged.

(RAVINDRA V. GHUGE, J.)