

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2626 OF 1997

1. Managing Director,
Forest Development Corporation
of Maharashtra Ltd. Nagpur.

2. Regional Manager
(Pradeshi Vyavsthapak)
Forest Development Corporation
of Maharashtra Ltd.
“Vanvikas Bhavan”
Kalika Mandir Marg, Nashik.

3. Divisional Manager,
Forest Development Corporation
of Maharashtra Ltd.
Vanaprakalpa Vibhag, Yawal,
At post Yawal, Dist. Jalgaon.

..Petitioners

Versus

Shri Prakash Sukdeo Mali,
Address : Chopada,
Nagalwad Road Zopadpatti,
Tq. Chopada, Dist. Jalgaon.

..Respondent

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Advocate for Petitioners : Shri P.L.Shahane

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CORAM : RAVINDRA V. GHUGE, J.

Dated: December 1, 2016

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ORAL JUDGMENT:-

1. The petitioner has challenged the judgment and order dated 2.12.1996, delivered by the Industrial Court, by which, Complaint (ULP) No.789 of 1988 has been allowed and the petitioner is directed to grant permanency to the respondent w.e.f. 1.1.1989 as a Forest Guard with all consequential benefits.

2. None appears for the respondent.
3. Shri Shahane, learned Advocate on behalf of the petitioners submits on instructions that the Division at Yaval District Jalgaon has been closed down. The respondent has been lawfully retrenched on 8.5.2007 with payment of retrenchment compensation. Gratuity for an amount of Rs.67,000/- has also been paid to him.
4. Considering the above statement and keeping in view the order of this Court dated 13.11.1997, by which the impugned judgment was stayed, this petition is partly allowed. The impugned order stands modified in the light of the statement that the respondent has been retrenched and paid all the legal dues.
5. As such, the respondent would be precluded from raising any further claims against the petitioners unless he has already resorted to any litigation with regard to his retrenchment.
6. Rule is made partly absolute in the above terms.

(RAVINDRA V. GHUGE, J.)

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