

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1961 OF 1997
(Jalgaon Municipal Council, Jalgaon Vs.Ulhas Ramdas Ingle)

Mr.P.R.Patil, Advocate for the petitioner.
Mr.R.R.Patil, Advocate for the respondent (Absent)

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 01/12/2016

PER COURT :

1. Mr.Patil, learned Advocate for the petitioner, which is now the Jalgaon Municipal Corporation, submits on instructions that the respondent, who was working as a Health Instructor, has been reinstated in service, granted all benefits including the benefits under the 5th Pay Commission.

2. Notwithstanding the above, Mr.Patil has strenuously criticized the impugned award and submits that an order of reinstatement on a non-existing post, passed by the Labour Court, is unsustainable. He has taken me through the grounds for challenge (19) below paragraph No.9 in the memo of the petition. He has strenuously canvassed that the issue of public employment and equal opportunities in recruitment, would be nullified if the impugned award is sustained.

3. Though there is merit in the submissions of Mr.Patil, I am disposing of this matter, without interfering in the impugned award only for the reason that the respondent has been reinstated and has been granted benefits as recorded above. He has thus settled down in employment. The prayer for back wages has already been rejected by the Labour Court.

4. As such, this petition is disposed of in the light of the above. Rule is discharged.

(RAVINDRA V. GHUGE, J.)