

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

WRIT PETITION NO. 3334 OF 2004

Subhash Ramlal Patil
Age: 49 years, Occu.: Nil,
R/o Shivaji Nagar, Pachora,
Tq. Pachora, Dist. Jalgaon.

..PETITIONER

VERSUS

The Divisional Controller,
Maharashtra State Road Transport Corporation,
Jalgaon Division, Jalgaon.

..RESPONDENT

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Mr. P.B. Salunke, Advocate for petitioner.
Mr. Manoj Shinde, Advocate holding for Mr. M.K. Goyanka,
Advocate for respondent.

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**CORAM : RAVINDRA V. GHUGE, J.
DATED : 26th FEBRUARY, 2016**

ORAL JUDGMENT:

1. This petition was admitted on 29.11.2004.
2. The petitioner has assailed the judgment dated 08.12.2000 in Complaint ULP No. 90/1999 delivered by the Labour Court and the judgment of the Industrial Court dated 06.03.2004 delivered in Revision ULP No. 45/2001.

3. The petitioner submits that Complaint ULP No. 90/1999 was filed for challenging the second show cause notice issued by the respondent proposing a punishment to the petitioner. Subsequently, he has been dismissed and therefore he has challenged his dismissal in Complaint ULP No.24/2000 which is the subject matter of Writ Petition No. 3665/2004 which is posted on 03.03.2016 for passing orders.

4. I have considered the submissions of the learned Counsels for the respective sides.

5. In this petition, the subject matter is with regard to the issuance of the second show cause notice proposing the punishment of dismissal to the petitioner. Subsequently, he has been dismissed and that is the subject matter of Writ Petition No. 3665/2004.

6. Since the second show cause notice merges into the final order of punishment issued by the respondent-employer, this petition is rendered of an academic interest. The same is therefore

not required to be considered as this Court is already hearing the litigating sides on the cause of action of dismissal.

7. As such, this petition is disposed off. Rule is discharged.

(RAVINDRA V. GHUGE, J.)