

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11940 OF 2015

THE MAHARASHTRA STATE ROAD TRANSPORT CORPORATION
VERSUS
ASHOK MAHATAMAJI MEHTRE

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Advocate for Petitioner : Shri Bagul D.S.
Advocate for Respondent : Shri Bayas A.S.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: March 01, 2016

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PER COURT :-

1. Shri Bayas, learned Advocate for the respondent submits on instructions that the direction of the Industrial Court in paragraph No. 11(3) of the impugned judgment dated 13.11.2014 is due to inadvertence. The basic wages should be at the rate of Rs.2900/- and could not be Rs.5050/- as has been granted by the Court.

2. He further submits that in identical circumstances, the Industrial Courts have granted the basic wages at Rs.2900/- and the petitioner / Corporation has accepted such judgments and has implemented them. By way of a specimen copy, he indicates the judgment of the Industrial Court dated 13.11.2014 in Complaint (ULP) No.168 of 2011, copy of which is tendered across the Bar, which is taken on record and marked as Exhibit "X" for identification.

3. Shri Bayas, therefore, submits that this petition can be disposed off by consent by modifying the directions below paragraph No.11(3) as per the statement of the petitioner.

4. I have gone through the Written Statement filed by the petitioner in Complaint (ULP) NO.124 of 2011, filed by the respondent herein. Paragraphs 3 and 10 of the Written Statement confirm the statement made by Shri Bayas on instructions.

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5. In the light of the above, this petition is partly allowed. The conclusions of the Industrial Court in paragraph No.10 and paragraph No.11(3) stands modified and the figure Rs.5050/- appearing in those paragraphs shall stand replaced by the figure Rs.2900/-.

(RAVINDRA V. GHUGE, J.)

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