

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 4855 OF 2002

1. The Principal,
Industrial Training Institute (I.T.I.),
Kalamba Road, Kolhapur.

2. Dy. Director of Vocational Education
and Training, Regional Office,
Ghole Road, Poona – 411 005.

... Petitioners

v/s

Shri Maruti Dhondiram Patale,
2770, 'B' Ward, Subrao Gavali Road,
Mangalwar Peth, Kolhapur.

... Respondent

Mr.A.D.Kango, A.G.P. for the petitioners.

Mr.Machhindra Patil for th respondent.

CORAM: N.M. JAMDAR, J.

DATED : 14 JANUARY 2016

PC.:

By the impugned order dated 8 January 2001, the Industrial Court, Kolhapur, set aside the order of transfer of the Respondent dated 16 June 1995, transferring him from Kolhapur to Murgud. The transfer order has been set aside in the year 2001 i.e. 15 years back. No stay is granted. Thereafter the Respondent must have continued in services of the Petitioner and various other events in

his service must have occurred. Considering the totality of circumstances by passage of time, the controversy regarding the transfer of the Respondent, does not survive and the petition has become infructuous. However, since I am disposing of the petition on the ground that the cause of action does not survive, any adverse observations made by the Industrial Court against the Petitioner, are hereby set aside.

2 The writ petition is disposed of accordingly.

(N. M. JAMDAR, J.)