

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO.4669 OF 2016**

Shri. Dilip Rajaram Chikane

... Petitioner

Vs.

Thane Municipal Transport Undertaking And Anr.

...Respondents

.....

Ms. Neeta Karnik, for the Petitioner.

Mr. N.R. Bubna, for Respondent Nos. 1 and 2.

....

CORAM : S.C. GUPTE**DATED : 15 JUNE 2016****P.C. :**

. Heard learned Counsel for the parties. It is agreed between the parties that the petition may be disposed of by passing a final order but without indicating any reasons for the same. The impugned order passed by the Industrial Court on 26 February 2016 is set aside. The punishment of stoppage of two annual increments permanently awarded by the order of the first Respondent Undertaking on 7 February 2012 is set aside and is declared disproportionate to the misconduct found by the Enquiry Officer and accepted by the first Respondent Undertaking. The first Respondent Undertaking shall recover a fine of Rs.6000/- from the Petitioner by deducting Rs.500/- from his salary over the next twelve months. The suspension of 85 days resulting from the first Respondent Undertaking's order dated 14 November 2011 shall not be considered at the time of the superannuation of the Petitioner. The Petitioner,

however, shall not be entitled to any wages for the suspension period.
The petition is disposed of accordingly. No order as to costs.

(S.C. GUPTE, J.)