

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6599 OF 2009

Gajanan Laxman Kolekar	}	Petitioner
versus		
The Maharashtra State	}	
Electricity Distribution	}	
Company Limited and Anr.	}	Respondent

Mr. Amit B. Borkar for the petitioner.

CORAM :- S. C. DHARMADHIKARI &
B. P. COLABAWALLA, JJ.

DATED :- NOVEMBER 23, 2016

P.C. :-

1. Heard Mr. Borkar.
2. We do not expect the respondent no. 1 to preserve and maintain service records of an employee, who seeks pensionary benefits, though being terminated from service way back on 23rd April, 1990. The writ petition filed in the year 2009, if entertained, would mean that the first respondent would be required to produce the service records of such an employee who has been terminated in the year 1990. It is that reason which has been assigned in the impugned communication denying any pensionary benefits to the petitioner. We do not find the reasons assigned to be either perverse or based on no material. The

employer cannot be faulted for having disposed of the service records of an employee terminated way back in 1990. It will cause real injustice and prejudice to the employer if such petition is entertained. Purely on the above ground, the writ petition is dismissed.

(B.P.COLABAWALLA, J.) (S.C.DHARMADHIKARI, J.)