

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH, NAGPUR

Writ Petition No.6100 of 2014  
(Maharashtra State Road Transport Corporation, Wardha, through its  
Divisional Controller v. Narendra s/o Babarao Wankhade)

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Office Notes, Memoranda of Coram,  
appearances, Court's orders or directions      Court's or Judge's orders  
and Registrar's order

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Shri V.G. Wankhede, Advocate for Petitioner.  
Shri C.V. Jagdale, Advocate for Respondent.

**Coram : R.K. Deshpande, J.**  
**Date : 17<sup>th</sup> November, 2016**

The show cause notice for dismissal from service on the ground of proved charges of misconduct issued on 8-7-2003 was set aside by the Labour Court. The order has been maintained by the Industrial Court and it attained the finality; as a result, the respondent continued in service on the post of the Conductor. The Courts below recorded the finding that the charges framed against the respondent were not proved.

Thereafter, again the second show cause notice was issued for punishment of reduction of basic pay by three stages by cumulative effect. The said proceedings culminated in the ultimate order dated 15-6-2009, which was the subject-matter of challenge before the Industrial Court in Complaint (ULP) No.302 of 2009, which was allowed on 27-9-2013. The present petition

challenges the said order.

In view of the fact that the order of punishment dated 15-6-2009 was passed without holding any enquiry on the basis of the charges other than those which were the subject-matter of earlier show cause notice for dismissal, no fault can be found with the view taken by the Industrial Court.

The petition is dismissed.

Judge.

Lanjewar