

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO.12201 OF 2016

Maharashtra State Road Transport Corporation ... Petitioner  
Vs.  
Javed Sharif Shaikh ... Respondent

Mr. G. S. Hegde for Petitioner.  
Mr. Aslam Mohammed Shaikh for Respondent.

**CORAM : R. G. KETKAR, J.**  
**DATE : JULY 10, 2017**

**P.C. :**

Heard Mr. Hegde, learned Counsel for petitioner and Mr. Shaikh, learned Counsel for respondent at length.

2. By this Petition under Articles 226 and 227 of the Constitution of India, petitioner has challenged the judgment and order dated 09.07.2015 passed by the learned Member, Industrial Court, Thane in Complaint (ULP) No.336 of 2013. By that order, the Industrial Court declared that respondents (petitioner herein) have engaged in an unfair labour practice under Items 6 and 9 of Schedule IV of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 (for short 'Act') by not implementing the Clause 49 of the Settlement of 1956 and keeping the employee temporary / on daily wages for years together. The Industrial Court further directed the respondents (petitioner herein) to implement Clause 49 of the Settlement of 1956 and give all the benefits of time scale to the complainant (respondent herein) from the date on which he has completed 180 days in service within a period of two months from the date of the order.

3. Respondent has filed affidavit dated 15.06.2017 enclosing

therewith Order No.13310 of 2016 dated 25.10.2016 issued by the Divisional Controller of the petitioner. Mr. Shaikh submits that in view of that order, respondent has no grievance and he is satisfied with that order.

4. As the petitioner has issued order dated 25.10.2016, which takes care of the grievance of the respondent in the complaint, nothing survives in this Petition and the same is disposed of as such. Order accordingly.

**(R. G. KETKAR, J.)**

*Minal Parab*