

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

**LETTERS PATENT APPEAL NO.282 OF 2010
IN
WRIT PETITION NO.3518 OF 1998
AND
WRIT PETITION NO.4803 OF 1998**

Mr.Ramesh Dayanand Suryawanshi ... **Appellant**
V/s.
Tata Motors Limited ... **Respondent**

.....

None for the Appellant.

Mr.K.S.Bapat with Mr.Aniket Mokashi i/b.Haresh Mehta & Co.,
Advocate for the Respondent.

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**CORAM : V. M. KANADE &
A. M. BADAR JJ.**

DATED : 9th June 2017.

P.C.

1 None appeared on behalf of the appellant. Heard Shri.Bapat learned counsel for the respondent. Services of the appellant was terminated on account of his continuous absence from the duty. He filed a reference before the Labour Court bearing Reference (IDA) No.492 of 1994. The said reference was allowed and award was passed in favour of the workman. Against the said impugned order, the respondent filed a Writ Petition in this Court. The said Writ Petition has been allowed by Judgment and Order dated 21st September 2010.

2 With the assistance of the learned counsel appearing on behalf of the respondent, we have gone through the impugned order. We find that the learned Single Judge has given cogent reasons while allowing the Writ Petition.

3 It is not in dispute that the workman was charge-sheeted for habitual remaining absent. His past record was also not good and he was punished for that on several occasions.

4 The Labour Court also came to the conclusion that the misconduct has been proved and the learned Single Judge has rightly observed that having held that the misconduct is proved, there was no reason to pass an order of the reinstatement. We have, therefore, not inclined to interfere with the order passed by the learned Single Judge.

5 Letters Patent Appeal, therefore, is dismissed.

(A. M. BADAR J.)

(V. M. KANADE J.)