

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION (ST) NO.25707 OF 2017

Shri. Babaji Shankar Gadhave

....Petitioner

Versus

Divisional Traffic Superintendent
& the Competent Authority,
State Transport Corporation

....Respondent

.....

Mr. A.S. Rao for the Petitioner.
None for the Respondent.

.....

CORAM : PRASANNA B. VARALE, J.

DATED: 14 SEPTEMBER, 2017

P.C. :

. Heard learned Counsel for the Petitioner.

2. Learned Counsel submits that the learned Judge of the Labour Court while allowing the complaint observed that the petitioner admitted his guilt. This finding was an erroneous finding. It was further submitted by the learned Counsel that what was admitted by the petitioner was a mistake in operation of the machine and the same could not have been treated as if the petitioner admitted his guilt. The submission of the learned Counsel is thus that the learned Judge committed a serious error in appreciating the evidence. Learned Counsel further submitted that in the revision also the learned Member of the Industrial Court failed to consider these aspects and the revision

application was rejected. Learned Counsel for the petitioner inviting my attention to the order passed by the learned Member, Industrial Court. Then submitted that the interim order granted in favour of the petitioner was continued for further period of 15 days i.e. from 30.08.2017 and the extension would expire. As such the learned Counsel prays for further extension to the interim protection.

3. Issue notice to the respondent corporation returnable after six weeks. The extension of interim protection granted in favour of the petitioner to be continued till the respondent call their appearance before the Court and file reply before this Court.

(PRASANNA B. VARALE, J.)