

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 1697 OF 2004

DIVISIONAL CONTROLLER M S R T C  
VERSUS  
VIJAY KISANRAO DESHMUKH

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Advocate for Petitioner : Shri M S Deshmukh  
Advocate for Respondent : Shri Anudeep Sonar h/f Shri V B Patil

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CORAM : RAVINDRA V. GHUGE, J.  
Dated: March 23, 2018

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PER COURT :-

1. The petitioner / Corporation is aggrieved by the judgment of the Labour Court dated 4.11.1995, by which, Complaint (ULP) No.296 of 1993 was partly allowed and the complainant workman was granted reinstatement with continuity. He was deprived of the backwages. The petitioner is also aggrieved by the judgment of the Industrial Court dated 30.6.2003, by which, the Revision (ULP) No.68 of 1999 filed by the petitioner was rejected.

2. Though the learned Advocates for the respective sides have substantially argued this matter, the fact remains that the respondent / workman was reinstated in service as this Court declined interim relief while admitting the petition on 15.3.2004. Subsequently he has retired in 2006 and has also passed away on 22.6.2008.

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3. Since the deceased has not challenged the denial of backwages, this petition, besides being infructuous, abates as against the respondent.

4. Learned counsel for the petitioner submits that he could take steps to bring the L.Rs. on record. However, since it is informed that the directions of the Labour Court have already been complied with and the deceased had retired in 2006, I do not think that any purpose would be served by keeping this petition pending.

5. The petition is, therefore, disposed off. Rule is discharged.

( RAVINDRA V. GHUGE, J. )

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