

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3412 OF 2018

Subhash s/o Ganpatrao Shep

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. S.M. Kulkarni, advocate for petitioner.
Mr. S.S. Dande, A.G.P. for respondent no. 1.

**CORAM : R.M.BORDE &
K.K. SONAWANE, JJ.
DATE : 4th APRIL, 2018**

PER COURT:

1. Petitioner is praying for issuance of directions to respondents to award him date in respect of continuity in employment as April 1985 instead of 01.08.1989.

2. Perusal of the judgment delivered by the Labour Court on 29.10.2004 clarifies that the directions issued to the respondents in respect of re-instatement and continuity in employment as Muster Assistant is with effect from 01.08.1989. Since petitioner has been granted re-instaement and continuity in service from 01.08.1989 by the Labour Court while disposing of his complaint, it would not be open for the petitioner to claim any date anterior to the aforesaid date awarded by the Labour Court. The decision rendered by the Labour Court on 29.10.2004 has attained finality. In this view of the matter, in exercise of extra ordinary jurisdiction under Article 226 of the Constitution of India, no interference is

called for in the instant petition. The petition is devoid of substance hence stands rejected.

3. Pending civil application, if any, does not survive and stands disposed of.

K. K. SONAWANE
JUDGE

R.M.BORDE
JUDGE

dyb