

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

WRIT PETITION NO.8992 OF 2003

Mr. Mukund Annsaheb Deshmukh

Since deceased

Smita Mukund Deshmukh And Others Petitioners

Versus

Maharashtra State Road Transport
Corporation

.... Respondent

.....

Mr. M.S. Topkar for the Petitioners.

Mr. G.S. Hegde a/w Mr. C.M. Lokesh I/b G.S. Hegde & Associates for the
Respondent-corporation.

....

CORAM : S.C.GUPTE, J.

DATE : 19 JULY 2018

P. C. :

. Heard learned Counsel for the parties.

2 This petition challenges an order of the Labour Court dismissing a complaint of unfair labour practice and order of the revisional court refusing to interfere with that order.

3 The subject matter of controversy in this petition concerns the proposed termination of services of the original Petitioner. After dismissal of the revision petition, his services were terminated on 5 May 2003. The impugned orders of the Labour Court and the Industrial Court are

challenged in the present petition. During pendency of the petition, the original Petitioner expired and his legal heirs are brought on record. Learned Counsel for the Petitioners submits that in the facts of the case, he does not press for any relief beyond release of terminal benefits due to the original Petitioner. Learned Counsel for the Respondent-corporation has no objection to release all these benefits. Accordingly, the petition is disposed of by directing the Respondent corporation to release terminal benefits payable to the original Petitioner. The amount may be released in favour of legal heirs of the deceased Petitioner, who are brought on record, through newly added Respondent No.1 Smita Mukund Deshmukh. The termination benefits should be calculated on the basis of date of termination as 5 May 2003. The amount will be released within a period of four weeks from today. The petition is disposed of.

(S.C. GUPTE, J.)

Rajesh
Vasant
Chittewan

Digitally signed
by Rajesh Vasant
Chittewan
Date:
2018.07.23
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