

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

WRIT PETITION NO.13304 OF 2016

Maharashtra State Road Transport
Corporation

.. Petitioner

Vs.

Mahadev M. Naiknaware

.. Respondent

Mr. G. K. S. Hegde a/w C. M. Lokesh for the petitioner.

Mr. Suhas S. Inamdar for the respondent.

CORAM : A.K. MENON, J.

DATED : 16TH JANUARY, 2018.

P.C. :

1. In view of the order passed in Writ Petition no.11236 of 2017 dismissing the petition and granting time to the petitioner to make payment of the dues of back wages and other benefits along with interest thereon, in the present case, the facts are similar, save and except that the petitioner being employed as a driver was suffered an impaired vision, as a result of which he was medically unfit for continuing in service as a driver. He was since appointed as peon and kept on waiting list. The Corporation failed to pay back wages of the period 28th March, 2002 till 13th October, 2004.
2. In view of the above, for the reasons set out in the order dated 16th January, 2018 in Writ Petition no.11236 of 2017, I pass the following

order:-

- (i) The petition is dismissed. The impugned order is confirmed but with the modification that the petitioner shall pay the amount of back wages for the period 28th March, 2002 till 13th October, 2004 along with interest @ 6% p.a.
- (ii) Let such payment be made within a period of eight weeks from today.
- (iii) No order as to costs.

(A.K. MENON,J.)

wadhwa