

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

WRIT PETITION NO. 13970 OF 2017

Mr.Narayan Bajirao Jadhav

...Petitioner

Vs.

The Divisional Traffic Officer,

Maharashtra Road Transport Corporation, Pune ...Respondent

Mr.Sarthak S. Diwan for Petitioner.

Mr.Y.P. Deshmukh for Respondent.

CORAM : S.C. GUPTE, J.

DATE : 4 JULY 2018

P.C. :

This writ petition challenges an order passed by the Industrial Court at Pune refusing to interfere with an order of the Labour Court dismissing a complaint of unfair labour practice. The Petitioner is an employee of the Respondent corporation. He was charge sheeted and a departmental enquiry was held in pursuance of his reply to the charge sheet. After concluding the enquiry, the Respondent corporation issued a show cause notice proposing termination of his services. At this stage, the Petitioner moved a complaint of unfair labour practice before the Labour Court. The complaint was dismissed by the Labour Court. The Industrial Court refused to interfere with the dismissal order in revision. Being aggrieved, the Petitioner has come before this court. Since this is a stage where the Petitioner is required to show cause, the petition can be conveniently disposed of by directing the Petitioner to show cause and challenge an order, if any, passed, despite his having shown cause.

2 Accordingly, the petition is disposed of by directing the Petitioner to reply to the show cause notice within two weeks from today. In case the Respondent corporation passes an order of termination, after considering his reply to the show cause notice, the Petitioner will be at liberty to challenge the final order. All rights and contentions of the parties on merits are kept open. If the order of the Respondent corporation is against the Petitioner, the order shall not be implemented for a period of three weeks.

(S.C. GUPTE, J.)