

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14413 OF 2018

PRADEEP NAMDEORAO KHANDEBHARAD
VERSUS
THE DIVISION CONTROLLER, MSRTC, AURANGABAD

Advocate for Petitioner : Mr. P.L. Shahane
and Mr. P.P. Shahane.
Advocate for Respondent : Mr. M.K. Goyanka.

CORAM : RAVINDRA V. GHUGE, J.
Dated : 23.01.2019.

PER COURT :

1. This matter was heard for some time. Issues are as regards :
 - (i) whether the petitioner is a workman under Section 2 (s) of the I.D. Act, 1947,
 - (ii) whether the Discipline and Appeal Rules permit the MSRTC to dismiss the employee for having remained unauthorizedly absent for a longer period and
 - (iii) whether the past service record of the petitioner is highly blemished, etc.
2. At this juncture, the learned counsel for the petitioner submits, on instructions from the petitioner, who is present in the Court, that the petitioner desires to withdraw this petition.
3. In view of the above, this petition is disposed of as withdrawn.

Needless to state, all the contentions of the litigating sides are kept open. It is also made clear that the Labour Court would now frame the issue as to whether the petitioner is a 'workman' and the said issue can be dealt with by the Court at the earliest.

(RAVINDRA V. GHUGE, J.)

S.P.C.