

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

**LETTERS PATENT APPEAL (st.) NO.22312 OF 2011
IN
WRIT PETITION NO.6402 OF 2003
WITH
CIVIL APPLICATION NO.349 OF 2011**

The Chief Conservator of Forests, Pune (IT) & ... Appellants
anr.

Vs

Thakubai Dyanoba Kapare ... Respondent

**with
LETTERS PATENT APPEAL (st.) NO. 22318 OF 2011
IN
WRIT PETITION NO.6400 OF 2003
with
CIVIL APPLICATION NO.350 OF 2011**

The Chief Conservator of Forests, Pune (IT) & ... Appellants
anr.

Vs

Thakubai Dyanoba Kapare ... Respondent

Mr.Y.S. Khochare, AGP, for the Appellants

**CORAM: AKIL KURESHI &
S.J. KATHAWALLA, JJ.**

DATED: AUGUST 29, 2019

P.C.:

1. These appeals arise from a common judgment of the learned Single Judge dated 15.12.2010. The Writ Petitions before the learned Single Judge were filed by the Conservator of Forests and another challenging the awards of the Industrial Tribunal holding that the Forest Department had committed an unfair labour practice by not regularising the workmen - complainants despite long service on daily basis, accordingly they were ordered to be made permanent.

2. We notice that by the impugned judgment, the learned Single Judge had disposed of large number of petitions. The judgment itself referred to an earlier judgment dated 8.9.2010 in another group of petitions in similar circumstances, in which the learned Judge had while recording detailed reasons upheld the view of the Industrial Tribunal.

3. On our query, the learned AGP stated that against the decision dated 8.9.2010, the State had preferred Letters Patent Appeal No.6 of 2016 and others which were disposed of by an order dated 6.12.2017 recording that the State had commenced the procedure for regularisation of the services of the workmen.

The State Government was accordingly directed to consider the proposal expeditiously and pass orders within specified time. He further pointed out that in yet another group of appeals i.e., Letters Patent Appeal No.7 of 2017 and other connected appeals, the Division Bench of this Court had dismissed the State appeals on 18.12.2017 confirming the decision of the learned Single Judge dated 8.9.2010.

4. Under the circumstances, these appeals have no merits. Delay condonation applications which were filed way back in 2011 have remained dormant. Accordingly, the Letters Patent Appeals alongwith delay condonation applications are dismissed.

(S.J. KATHAWALLA, J.)

(AKIL KURESHI, J.)