

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 5589 of 2019

Ku. Ujwala D/o Prakash Bute

-Vs-

Maharashtra State Road Transport Corporation Ltd., Amravati and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri C.V Jagdale, Adv. for the petitioner.

Shri S.C. Mehadia, Adv. For the respondents.

CORAM : Z.A.HAQ, J.

DATED : 13th August, 2019

Heard.

The petitioner has filed complaint under Section 28 read with Items-1 (a) (b), (d) and (f) of Schedule IV of the Maharashtra Recognition of Trade Unions & Prevention of Unfair Labour Practices Act, 1971 to challenge the show cause notice issued by the respondents calling upon her to give explanation as to why she should not be dismissed from service. This complaint is pending before the Labour Court. In this complaint, the petitioner had filed application praying for interim order which was rejected by the Labour Court by the order dated 27.02.2019. The petitioner had filed revision application before the Industrial Court to challenge the order dated 27.02.2019. This Revision Application is dismissed by the impugned order.

The learned Advocate for the petitioner made various submissions on merits of the matter, arguing that the enquiry conducted against the petitioner was not in

c consonance with the principle of natural justice and the statement of the passengers who were found to be travelling without tickets were recorded at the back of the petitioner. The statement of the petitioner dated 03.05.2018 is also pointed out to support the argument that the enquiry against the petitioner was not fair and proper.

The sub-ordinate Courts have recorded the finding that the enquiry conducted against the petitioner is fair and proper and every opportunity to defend in the enquiry was given to the petitioner. It is not in dispute that before the present incident, on the basis of 18 occasions of misconduct, minor punishments were inflicted on the petitioner.

In the facts of the case, I find that the conclusions of the subordinate Courts are proper and cannot be faulted with. Hence, I see no reason to interfere with the impugned orders.

The writ petition is dismissed. In the circumstances, the parties to bear their own costs.

JUDGE

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