

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

**WRIT PETITION NO.2228 OF 2006
WITH
CIVIL APPLICATION NO.10902 OF 2009**

THE MAHARASHTRA KRISHNA VALLEY DEVELOPMENT CORPN.
VERSUS
AMBADAS NIVRUTTI GIRME

**WITH
WRIT PETITION NO.1600 OF 2005
WITH
CIVIL APPLICATION NO.237 OF 2010**

Mr.G.B.Rajale, Advocate for the petitioner.
Mr.P.L.Shahane and Mr.P.P.Shahane, Advocate for the respondent

(CORAM : Ravindra V.Ghuge, J.)

DATE : 13/03/2020

PER COURT :

1. In both these petitions, the litigating parties are the Management and the employee. In the 2005 petition, the award of the Labour Court dated 25/02/2004, in Ref.(IDA)No.36/1994, granting reinstatement with continuity without back wages, has been challenged. The employee has been reinstated in service on 22/12/2006 and is in employment. He had joined in 1993. His proposal for regularization has been forwarded by the Management to the competent authority of the State Government. The said proposal

is pending due to the pendency of this petition.

2. Considering the above and since the employee is in employment having been reinstated 14 years ago, without back wages, I deem it appropriate to give a 'Quietus' to this matter.

3. **Petition No.1600/2005 is therefore disposed off and Rule is discharged.**

4. The Management had filed WP No.2228/2006 for challenging the interlocutory order passed by the Industrial Court dated 03/01/2006 directing the Management to comply with the award dated 25/02/2004, while entertaining Complaint (ULP) No.98/2005. This Court had specifically refused interim relief to the Management while admitting the petition on 13/04/2006.

5. Since a 'Quietus' has been granted to the litigation between the parties, this petition is rendered infructuous and as complaint (ULP) No.98/2005 has also been disposed off, **this petition stands disposed off, as being infructuous.** Rule is discharged.

6. Pending civil applications do not survive and therefore stand disposed off.

7. It is expected that, as these petitions have been disposed off, the competent authority would consider the proposal of the respondent / employee in accordance with the Rules applicable and in view of the judgment of the Industrial Court dated 08/03/2018 allowing Complaint (ULP) No.24/2014 filed by the employee for seeking regularization and which has not been challenged by the employer, preferably, on or before 30/06/2020.

(Ravindra V.Ghuge, J.)