

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

903 WRIT PETITION NO.241 OF 2020

PRAMOD RUSTUM DONGRE
VERSUS
THE MANAGING DIRECTOR THE AURANGABAD DISTRICT CENTRAL
CO-OP. BANK LTD

...
Advocate for Petitioner : Mr. Bodade S.R.

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CORAM: ROHIT BABAN DEO, J.

Date: JANUARY 8th , 2020

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PER COURT :-

1 The petitioner who is a dismissed employee, has challenged the dismissal order before the Labour Court.

2 The dismissal is on account of proved misconduct that the employee misappropriated Rs.11 lakh and odd.

3 The petitioner moved an application seeking interim relief in the nature of interim reinstatement which is rejected by the Labour Court. The petitioner approached the Industrial Court in revision which is dismissed by the order dated 17.10.2019.

4 It is trite law that reinstatement by way of interim relief would be granted in rare situation. I am satisfied that in the facts of the case, the dismissed employee is not entitled to reinstatement as an interim relief. The learned counsel for the

petitioner submits that the charges are frivolous and the findings recorded by the enquiry officer are perverse. This submission will undoubtedly be dealt with by the Labour Court on their merits at an appropriate stage. However, the Courts below are justified in observing that by way of interim relief, the employee could not have been granted the final relief.

4 The petition is without substance and is dismissed.

(ROHIT BABAN DEO, J)