

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 4026 OF 2022**

Sharad Gorakhnath Chavan

.....Petitioner

Vs.

The Divisional Traffic Superintendent
M.S.R.T.C., Kolhapur Division,
Kolhapur

.....Respondent.

Mr. Manoj Patil for the Petitioner.

Mr. Nitesh Bhutekar a/w Mr. Aniket Nangare a/w Ms. Gargi Warunjikar for
the Respondent.

CORAM : A. S. GADKARI, J.

DATE : 5th APRIL, 2022.

PC.:-

The charges leveled against the Petitioner are undoubtedly serious in nature. The Petitioner despite accepting money from the passengers did not issue them official tickets of the Respondent-Corporation. Instead, he issued a paper chit by scribbling something on it to the passengers. In this precise background, the Respondent-Corporation issued him a notice thereby, calling upon him to give his explanation as more specifically mentioned in it.

2 The Petitioner apprehended his dismissal and therefore rushed to the Labour Court No.II, Kolhapur by filing a Complaint (ULP) No.25 of 2017 under the various provisions of Maharashtra Recognition of Trade

Unions and Prevention of Unfair Labour Laws Practices Act, 1971 (for short, MRTU & PULP Act). He also filed an Application for interim relief. The said Application filed by the Petitioner was rejected by the Labour Court by its impugned Order dated 21st March, 2018 which has been further confirmed by the Industrial Court by its Order dated 3rd March, 2022.

3 Today, the learned counsel for the Respondent-Corporation informed this Court that, after completing necessary procedure of inquiry, the Petitioner has been dismissed from service of Respondent-Corporation.

In view thereof, the present Petition as of today does not survive and has become infructuous and is accordingly dismissed.

4 It is needless to mention that, the remedies in furtherance of Order of dismissal by the Respondent-Corporation are expressly kept open to the Petitioner to be availed, if so advised.

(A.S. GADKARI, J.)