

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 6004 OF 2010

(Divisional Controller, MSRTC, Buldhana ..vs.. Shivaji Jamsingh Deware)

WITH

WRIT PETITION NO. 470 OF 2011

(Shivaji Jamsingh Deware ..vs.. Divisional Controller, MSRTC, Buldhana)

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

Court's or Judge's orders

None for the employer-MSRTC,
None for the employee-Shivaji Deware.

CORAM : ROHIT B. DEO, J.

DATED : 21-04-2022

Writ Petition 6004/2010 is filed by the MSRTC (employer) while Writ Petition 470/2011 is filed by Mr. Shivaji Deware (employee).

2. Both the petitions arise from the common judgment delivered by the Industrial Court in Revision 65/2003 and Revision 70/2003. The two revisions were preferred by the employer and employee challenging the judgment of the Labour Court, which set aside the dismissal of the employee and directed reinstatement with continuity of service without back-wages. The employee was aggrieved to the extent the back-wages are denied. The Industrial Court rejected both the revisions.

3. It appears that the employee has superannuated with effect from 28-2-2021. Although this Court allowed the application of the employee seeking early hearing,

there is no appearance on behalf of the employee nor is the Counsel for the employer present.

4. The petitions are dismissed with costs of Rs.5,000/- (Rupees Five Thousand) each to be deposited with the High Court Legal Services Sub-Committee, Nagpur.

5. If applications for restoration of the petitions are preferred, the registry shall ensure that the direction to pay costs is complied with.

JUDGE

adgokar