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**IN THE HIGH COURT OF JUDICATURE OF BOMBAY**  
**BENCH AT AURANGABAD**

**WRIT PETITION NO.806 OF 2020**

Bansi Bhausahab Fadale

PETITIONER

VERSUS

The Maharashtra State Road Transport  
Corporation Through its Divisional Controller  
Ahmednagar and Another

RESPONDENTS

.....  
Mr. Ajay T. Kanwade, Advocate for the petitioner  
Mr. B. S. Deshmukh, Advocate for the respondents  
.....

**[CORAM : NITIN B. SURYAWANSHI, J.]**

**DATE : 12<sup>th</sup> JULY, 2023**

**ORDER :**

1. The petitioner is aggrieved by the order dated 21<sup>st</sup> November, 2019 passed by the learned Member, Industrial Court, Ahmednagar in Revision Application (ULP) No. 36 of 2014, thereby quashing the judgment and order dated 26<sup>th</sup> February, 2014 passed by the Labour Court in Complaint (ULP) No.11 of 2009 and dismissing the Complaint, wherein the petitioner had challenged show cause notice issued to him by the respondents as to why he should not be dismissed from service.
2. By order dated 21<sup>st</sup> November 2019, passed below Exhibit-U-2, the petitioner was given 15 days' protection from the date

of the order and the respondents were directed not to take any action on the basis of the disputed show cause notice dated 4<sup>th</sup> February, 2009 till next 15 days.

3. Learned advocate for the respondents states that the petitioner is dismissed from service and the petitioner has to avail appropriate remedy as permissible in law.

4. In view of the subsequent dismissal of the petitioner, nothing survives in the present petition. The writ petition is, therefore, disposed of as infructuous with liberty to the petitioner to avail appropriate remedy.

5. In case the petitioner challenges the order of dismissal, the concerned court may sympathetically consider the delay condonation application, if filed by the petitioner.

**[NITIN B. SURYAWANSHI]**  
**JUDGE**