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8wp719-08

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 719 OF 2008

Suryakant Balkrishna Shinde

..Petitioner

Vs.

Ghatge Patil Transports Ltd.

...Respondent

Mr. R. D. Soni with Mr. V. R. Kasale i/b. Ram & Company, for Petitioner.

Mr. Kunal Bhanage for Respondent.

CORAM : G.S. KULKARNI, J.

DATE : FEBRUARY 14, 2023

PC. :-

1. Heard Mr.Soni, learned Counsel for the petitioner and Mr.Bhange, learned Counsel for the respondent-employer.

2. This petition was filed by the petitioner – workman challenging the judgment and order dated 13 November 2007 passed by the learned Member of the Industrial Court at Kolhapur whereby the Complaint (ULP) No.360 of 1997 as filed by the petitioner, alleging that the act of the respondent transferring the petitioner from Kolhalpur to Punmalli branch at Chennai, was against the conditions of service, hence the order of transfer was illegal, was dismissed by the impugned order.

3. By an order dated 28 April 2008 passed by the Co-ordinate Bench of this Court, the petition was admitted. Accordingly, the petition was pending final hearing. However, in the meantime, as the petitioner did not join the transferred place of posting, he was chargesheeted by the respondent on 16 July 2004 and an enquiry was conducted against him, stated to be without following principles of natural justice and the services of the petitioner were terminated by an order dated 15 December 2004. In view of such subsequent developments and which are subject matter of the companion petition being Writ Petition No.739 of 2016, this petition in fact has become infructuous.

4. Accordingly, this petition would not warrant any adjudication, it is disposed of. No costs.

[G.S. KULKARNI, J.]