



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition No.4048 of 2022

**MAHA. STATE ROAD TRANSPORT CORP., BHANDARA DIVISION, THR.
DIVISIONAL CONTROLLER, BHANDARA AND ORS**

VS

KU. DEEPALI D/O SHYAMKANT NEWARE

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri V.P. Panpalia, Advocate for the Petitioner/s
Shri O.W. Gupta, Advocate for the Respondent-sole.

CORAM : ANIL S. KILOR, J.
DATED : 18.10.2023

1. Heard.
2. In this petition, the order below Exh.U-3 dated 28.02.2022 passed by the Industrial Court, Bhandara in Revision (ULP) No.6 of 2022, staying the effect, operation and execution of the order dated 31.03.2015 dismissing the respondent, is under challenge in this writ petition.
3. Admittedly, the respondent is in service because of the interim stay granted to her dismissal, from the year 2015, though she was dismissed.
4. Initially, the learned Labour Court had granted stay to the dismissal of the respondent and it was continued till decision in the complaint filed before the learned Labour Court on 18.01.2022 and thereafter, it is continued from the date of impugned order dated 28.02.2022. Thus, the interim relief is operating in favour of the respondent from last about eight years.

5. Moreover, this Court while issuing notice on 19.07.2022, in this matter, did not grant stay to the impugned order dated 28.02.2022 and by the time, the pleadings are completed in this matter, the revision has come up for final hearing.

6. In the circumstances, at this stage, I do not think it proper to go into the merits of the matter and to make observations on merits, which may cause prejudice to either of the parties or may influence the Revisional Court while passing the final judgment.

7. In that view of the matter, I am of the opinion that the ends of justice would be sub-served, if the Provisional Court is directed to decide the revision within six weeks from today. Accordingly, I pass the following order:

(i) The writ petition is **disposed of** with a direction to the Industrial Court, Bhandara to decide the Revision (ULP) No.6 of 2022 within six weeks from today.

(ii) The learned counsel for the petitioner undertakes to furnish the copy of this order to the Industrial Court, Bhandara within one week.

(iii) The parties are directed to remain present before the Industrial Court, Bhandara on **27.10.2023 at 10.30 a.m.**

[ANIL S. KILOR, J.]