



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

921 WRIT PETITION NO. 9727 OF 2024

**DATTARAO FAKIRRAO BIRGAD
VERSUS
MAHARASHTRA STATE ROAD TRANSPORT
CORPORATION**

...
Advocate for the petitioner : Mr.P.P.Shahane

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 06.09.2024

P.C. :

1] The learned counsel for the petitioner submits that the enquiry conducted by the respondent is erroneous as the passengers were not examined in the enquiry. In the instant case, the passengers have given statement to the Ticket Inspector that the Conductor issued tickets to the passengers from the later station although they had boarded the bus from prior station and the amount collected for tickets was higher. However, the passengers were not examined in the enquiry. The learned counsel for the petitioner relies upon the judgment in the case of **U.P.State Road Transport Corporation Vs. Mahesh Kumar Mishra** reported in **2000 LAB.I.C. 1031** and also the judgment in the case of **A.P.S.R.T.C.Corporation Vs. G.Murali** reported in **AIR Online 2017 SC 713** and contends that if there is

dispute regards the place of boarding of passenger, the concerned passenger needs to be examined in the inquiry.

2] Issue notice to the respondent, returnable on 11.10.2024.

3] In addition to regular mode of service, the petitioner is permitted to serve the respondents by all permissible private modes.

4] Till the next date, interim order in existence passed by the Industrial Court, operating till date, will continue to operate.

5] In the event the petitioner does not serve the respondent till the next date, the interim relief granted today would stand vacated.

[ARUN R. PEDNEKER]
JUDGE

DDC