



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

Writ Petition No.3608/2020  
(Zilla Parishad, Wardha V Sau. Shobha and others)

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

Court's or Judge's orders

Mr. D.R. Bhoyar, Advocate for the petitioner.  
Mr. S.U. Ghude Advocate for resp. no.1.

**CORAM : N.R. Borkar, J.**  
**DATE : 04-10-2024.**

This petition takes exception to the judgment and order dated 13-01-2020 passed by the learned Industrial Court, Nagpur in Complaint (ULP) No.228/2017.

ii. By the order impugned, the learned Industrial Court has allowed the complaint filed by the original complainant Vinayak Vasantrao Bhandekar.

iii. The operative part of the order reads thus : -

*"1] The Complaint is partly allowed.*

*2] It is declared that Respondent has committed unfair labour practice under Item 9 of Schedule IV of MRTU & PULP Act.*

*3] The Respondent is directed to desist from committing such unfair labour practice.*

- 4] *The Respondent is directed not to prosecute the departmental enquiry and to punish the Complainant for alleged misconduct.*
- 5] *The Respondent is further directed to release the pension, leave encashment, gratuity etc. immediately, if not already released.*
- 6] *If the pension, leave encashment, gratuity etc. terminal benefits are not released in 2017 as claimed by the Respondent to pay interest on the said amount @ 10% per annum, from due date till actual payment."*

iv. Learned Counsel for the respondents submits that the original complainant has expired on 09-10-2022. In that view of the matter, nothing survives in the present petition as no departmental inquiry can be conducted after the death of an employee. The petition is dismissed.

(N.R. Borkar, J.)