

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

1006 WRIT PETITION NO. 2726 OF 2023

THE DIVISIONAL CONTROLLER MAHARASHTRA STATE ROAD
CORPORATION AND ANOTHER
VERSUS
DEVIDAS MARUTI CHAVAN

...
Advocate for the Petitioners : Mr. Dhongade Anilkumar B.
Advocate for Respondent : Mr. Gunale Vishwamber Digamberrao
...

CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 16.12.2025

PER COURT :

1. Heard the learned Counsel for the respective parties.
2. By way of present petition, the petitioners are assailing the order dated 17.08.2022 passed below Exh. O-3 by the learned Member Industrial Court, Latur in Complaint (ULP) No. 117 of 2015, whereby, the complaint filed by the respondent employee came to be allowed.
3. The learned Counsel for the respondent Mr. Gunale submits that the respondent employee has filed a Complaint against the show cause notice issued by the petitioners. The learned Member, Industrial Court, Latur vide its order dated 17.08.2022 allowed the complaint by observing that the Competent Authority failed to prove imputations levelled against the Complainant/Respondent employee in two inquiries as there was no evidence to that effect. Despite, there being no evidence, the inquiry officer held the respondent/employee guilty under Sections

10, 11 and 35 of the Schedule-A of the Discipline and Appeal Procedure and imposed punishment of reduction of 1/10th of amount of basic pay i.e. Rs. 1,136/- and issued show cause notice to that effect on 18.09.2015.

4. He further submits that such notice was not warranted as there was no evidence to prove the misconduct and therefore, on that count the complaint came to be allowed.

5. I have gone through the order passed by learned Industrial Court, Latur, it reveals that no evidence was on record to prove that the respondent employee was indulged in misconduct.

6. Considering the above, I do not find any reason to interfere in the order dated 17.08.2022 passed below Exh. O-3 by the learned Member Industrial Court, Latur in Complaint (ULP) No. 117 of 2015 under Article 227 of the Constitution of India.

7. In view thereof the Writ Petition is dismissed. No order as to cost.

(SIDDHESHWAR S. THOMBRE, J.)

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