



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

922 WRIT PETITION NO. 5974 OF 2023

NANA MADHAV PARDHE

VERSUS

MAHARASHTRA STATE ROAD TRANSPORT CORPORATION THROUGH
ITS DIVISIONAL CONTROLLER

Mr. P. V. Barde, Advocate for the Petitioner

Mr. A. D. Wange, Advocate for the Respondent

CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 11th DECEMBER, 2025

P. C. :-

1. Heard Mr. Barde, learned counsel for the respective parties.

2. The petitioner challenges the order dated 26.11.2019 passed below Exhibit O-8 by learned Industrial Tribunal, Ahmednagar in Reference (IT) No. 10 of 2015, whereby reference was answered in negative.

3. Mr. Barde, learned counsel for the petitioner vehemently submits that the Labour Court granted reinstatement w.e.f. 29.03.1997 with 25% back wages. In view thereof, he was

reinstated in service on 31.07.2007, though he ought to have been reinstated on 24.01.2007. Therefore, for the period from 24.01.2007 till the actual date of reinstatement, i.e., 31.07.2007, the petitioner is entitled to receive wages

4. Learned Industrial Court considering the fact that the petitioner was reinstated in service and resumed the duties on 31.07.2007, refused to grant relief sought by the petitioner. The Deputy Commissioner of Labour, Nashik forwarded the reference under section 10 of the Industrial Disputes Act on two counts "whether the petitioner is entitled to receive six months salary from 24.01.2007 till 31.07.2007 and whether the pay fixation has been done or not". Both issues were considered by the Industrial Court and the reference was answered in negative.

5. I have gone through the order passed by the learned Industrial Court, it reveals that the petitioner had resumed duties from 01.08.2007. Therefore, for a period from 24.01.2007 till 31.07.2007, he never worked and therefore, no question of paying the wages to the petitioner for that period arises. Therefore, I am not inclined to interfere with the impugned order.

6. As far as pay fixation is concerned, Mr. Barde, learned counsel points out that the pay fixation has not been done after being reinstated.

7. On the contrary Mr. Wange, learned counsel for the respondent submits that pay fixation has already been done and the same was also referred by learned Industrial Court in its order. The findings which are recorded by the learned Industrial Court about the pay fixation are also found to be proper.

8. Therefore, I do not find any reason to interfere with the order dated 26.11.2019 passed below Exhibit O-8 by learned Industrial Tribunal, Ahmednagar in Reference (IT) No. 10 of 2015 under Article 227 of the Constitution of India.

9. In view thereof, writ petition is dismissed. No order as to costs.

(SIDDHESHWAR S. THOMBRE, J.)

ssp