



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

WRIT PETITION NO. 6359 OF 2024

Gopal Bhika Patil

VERSUS

Maharashtra State Road Transport Corporation Thru Its Divisional
Controller

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Mr.P. D. Dadpe h/f. Mr. S. A. Nerkar, Advocate for the Petitioner.

Mr. S. J. Salgare, AGP for Respondents/State

Mr. N. G. Chavan h/f Mr. D. S. Bagul, Advocate for Respondent No.2.

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**CORAM : KISHORE C. SANT AND
ABASAHEB D. SHINDE, JJ.**

DATED : DECEMBER 08, 2025

P.C.:

1. Heard.

2. The petitioner, who was working as a conductor with the Respondent/MSRTC acquired disability while on duty. While he was doing duty as a conductor in the bus, the bus met with an accident. In that he received injuries. He appeared before the Medical board. The medical board found that the petitioner has become unfit to do the job of conductor, however, was found fit to work as a peon. However, he was not given suitable job. The petitioner therefore was required to approach this Court by filing petition praying for various reliefs.

3. After filing of the petition, the petitioner was given duty of peon by communication dated 14.05.2024. The main prayer of the petition is

therefore stands satisfied. However, now the question is only about the backwages.

4. It is alleged by the petitioner that after he acquired the disability till the period he was given the work of peon, i.e. 25.03.2023 till 14.05.2024 his salary is not paid. He had therefore approached initially by filing representations. However, those representations were not considered. The first representation was dated 16.01.2024, in which the time period was stated 9 months and 22 days. Now it transpires that there was no payment even till 14.05.2024.

5. From the record, it is undisputed that the petitioner acquired disability while doing the job of conductor. This fact is also fairly accepted by the Respondent as he is also given alternative job of peon. This Court thus find that he would be certainly entitled for the salary during the period in between in view of provisions of Section 47 of the Rights of Persons with Disabilities Act, 2016.

6. This Court find that the petition can be thus allowed with a direction to the Respondent to pay petitioner salary for the period from 25.03.2023 till 14.05.2024, which shall be subject to the petitioner filing an affidavit that he was not gainfully employed during the said period. Needless to say that the same is open for verification by the parties.

7. With these directions, Writ Petition stands disposed of.

[ABASAHEB D. SHINDE, J.]

[KISHORE C. SANT, J.]