

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5220 OF 2024

Solapur Municipal Transport Undertaking .. Petitioner

Versus

Ravikant Nagesh Vitekar & Anr. .. Respondents

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- Mr. Sumedh Modak i/by Mr. Vijay Killedar, Advocate for Petitioner
- Mr. Prasad B. Kulkarni, Advocate for Respondent No. 1
- Mr. Anand S. Kulkarni, Advocate for Respondent No. 2

.....

CORAM : MILIND N. JADHAV, J.

DATE : JUNE 18, 2025

P. C.:

1. Heard Mr. Modak, learned Advocate for Petitioner; Mr. Prasad Kulkarni, learned Advocate for Respondent No. 1 and Mr. Anand Kulkarni, learned Advocate for Respondent No. 2.

2. Either Petitioner or Respondent No. 2 will have to inform the Court as to who employed the father of Respondent No. 1 when he expired in harness during service. There is ambiguity in that regard. Despite this ambiguity, learned Industrial Court in paragraph No. 28 has returned a finding which would enure to the benefit of Respondent No. 1's case for consideration.

3. This is a case of compassionate appointment. Hence, issue notice to the Respondents made returnable on 02.07.2025. Humdast permitted. In addition to Court's notice, Petitioner is directed to serve

copy of the Petition along with copy of this order on the Respondents and inform them about the next date of hearing by any permissible mode of service and file appropriate affidavit of service with tangible proof thereof on or before the next date.

4. After receiving the notice, Respondents to file affidavit-in-reply on or before the next date and place the aforesaid information on record, if so desired with advance copy to the Advocate for Petitioner. Equally Petitioner is also directed by Court in view of absence of averment in Writ Petition as to whether Respondent No. 1's father was employed with Petitioner or not at the time of his death.

5. Stand over to **2nd July, 2025**.

[MILIND N. JADHAV, J.]

Amberkar

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2025.06.18
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