

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 14213 OF 2025

Pune Mahanagar Parivahan Mahamandal Ltd. ... Petitioner
Versus
Ramdas Jagdeoram Rananavare ... Respondent

Ms. Madhavi Mangesh Tavanandi for the Petitioner.
Mr. Satyajit Pawar (through V.C.) for Respondent.

**CORAM : MANISH PITALE, J.
DATE : 27th NOVEMBER 2025**

P.C. :

- . Heard learned counsel for the parties.
2. On 21st November 2025, this Court put a query to the learned counsel for the parties under the mistaken impression that the respondent could still be reinstated in service.
3. Today, it is correctly brought to the notice of this Court that the respondent had already attained the age of superannuation in the year 2021 i.e. when the complaint was pending before the Labour Court at Pune. In fact, when the judgment and order dated 26th July 2024 was passed by the Labour Court, the respondent had already attained the age of superannuation and it is for this reason that while partly allowing the complaint, the Labour Court held that the respondent was entitled for continuity of service from the date of termination from his service with 50% back-wages.

4. On revision application filed by the petitioner, the same was only partly allowed, the order of the Labour Court was maintained and modified only to the extent of reducing the back-wages to 25%. In fact, the Industrial Court, while disposing of the revision application, took note of the fact that continuity of service was required to be granted to the respondent from the date of dismissal from service i.e. 8th August 2017 till the date of his retirement i.e. 30th June 2021.

5. The learned counsel for the petitioner submits that the respondent was admittedly a habitual offender, in the sense that he had indulged in absenteeism repeatedly. It was submitted that the evidence and material on record clearly demonstrated that respondent was an employee showing scant interest in his work and that for long periods of time he had remained absent. In the face of the material placed before the Courts below, the aforesaid factor could not have been ignored and therefore, the impugned orders deserve to be set aside.

6. On the other hand, the learned counsel for the respondent supported the impugned orders passed by the two Courts below and it was submitted that this Court exercising jurisdiction under Section 227 of the Constitution of India, may not interfere with the well reasoned orders of the Courts below.

7. Upon hearing the learned counsel for the parties, this Court has specifically taken note of the submissions made on behalf of the petitioner that the respondent was indulging in absenteeism

repeatedly and this factor was also mentioned in the charge-sheet issued to him. It is submitted that such an employee showing little interest in working, ought not to have been granted relief.

8. This Court has perused the concurrent orders passed by the two Courts below. It is found, as a matter of fact, that the petitioner itself had treated 219 days of absence of the respondent as leave without pay and accordingly, such leave had been sanctioned. This resulted in the respondent being shown an absentee on duty only for a period of 20 days. This factual finding cannot be disputed as it is a matter of record that the petitioner itself had sanctioned leave without pay of 219 days to the respondent.

9. In such a situation, this Court, while exercising writ jurisdiction, is not inclined to show any indulgence in the matter.

10. It is also a matter on record that as on today, the respondent cannot be reinstated, as he has attained the age of superannuation in June 2021 itself. Granting continuity of service from the date of dismissal till the date of his retirement would facilitate terminal benefits being disbursed in favour of the respondent. The direction of payment of back-wages has been already restricted to only 25%.

11. No case is made out for interference. The writ petition is dismissed.

MANISH PITALE, J.