



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.11238 OF 2025
IN
REVIEW PETITION (STAMP) NO.22401 OF 2025
IN
WRIT PETITION NO.13445 OF 2022

Maharashtra State Road Transport
Corporation through Divisional Traffic
Superintendent, MSRTC, Pune

...Petitioner

V/s.

Sanjay Haribhau Shedge

...Respondent

Mr. Prathmesh Mandlik *i/b. Mr. Nitesh V. Bhutekar for the Petitioner.*

Mr. Vishal Jadhav *through VC for the Respondent.*

CORAM : SANDEEP V. MARNE, J.

DATED : 16 SEPTEMBER 2025.

P.C.:

- 1) Petition is filed seeking review of order dated 5 February 2025. There is delay of 146 days in filing the Review Petition.
- 2) Considering the averments made in the Interim Application seeking condonation of delay, I am of the view that the delay in filing the Review Petition deserves to be condoned.
- 3) Accordingly, the Interim Application No.11238 of 2025 stands **disposed of** by condoning the delay in filing the Review Petition.

4) Coming to the merits of the Review Petition, it appears that in paragraph 2 of the order dated 5 February 2025 this Court has made following observations:-

2. It appears that an order on preliminary issues was passed on 7 February 2019 by the Member, Industrial Court, Pune, holding that the enquiry was not legal, fair and proper and that the findings in the enquiry are perverse. Petitioner did not challenge order dated 7 February 2019 and nor the said order is under challenge in the present Petition. Therefore, Petitioner was under obligation to justify its action by leading evidence before the Industrial Court. It appears that no evidence was led before the Industrial Court.

5) Thus, the Petition is dismissed by observing that no evidence was led by the Petitioner after preliminary issues were answered against it. However, perusal of the judgment and order passed by the Industrial Court indicates that the Petitioner had examined Shri Shashikant Pandurang Suryawanshi as a witness after the order on preliminary issues dated 7 February 2019 was passed. Therefore, observations in paragraph 2 of the order dated 5 February 2025 that the Petitioner did not lead evidence to justify its action appears to be erroneous. The order dated 5 February 2025 is accordingly recalled. Writ Petition No.13445 of 2022 is restored. Review Petition is accordingly **allowed and disposed of**.

6) List the Writ Petition No.13445 of 2022 for admission on **20 September 2025**.

[SANDEEP V. MARNE, J.]