



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

WRIT PETITION NO. 4645 OF 2019

(Mukund Deorao Taras vs. MSRTC, Akola)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. J. L. Bhoot, Advocate for petitioner.
Mr. A. R. Fule, Advocate for respondent.

CORAM : SIDDHESHWAR S. THOMBRE, J.
NOVEMBER 13, 2025

- 1) Heard learned counsel for the respective parties.
- 2) The present petition is directed against the order dated 15/02/2019 passed by the learned Member, Industrial Court, Akola in Revision Applications (ULP) No.33/2018 and 39/2018, whereby the revision filed by the respondent MSRTC came to be allowed and the revision filed by the petitioner herein was dismissed.
- 3) The petitioner herein, who served as Conductor with the respondent MSRTC was dismissed from service on 26/11/2009, after conducting departmental enquiry. Against this dismissal order, he filed the Complaint (ULP) No.62/2014 before the learned Labour Court.
- 4) The Labour Court, Akola vide its order dated 08/01/2018 allowed the Complaint filed by the petitioner wherein the dismissal of the petitioner was declared as illegal and was set aside. Learned Labour Court held that the punishment of dismissal was disproportionate and directed the respondent MSRTC to impose any punishment other than the dismissal of the complainant. It was further directed that the respondent MSRTC to grant continuity of service and 50% back

wages from the date of termination. This order was challenged by both the parties. The revision filed by the petitioner pertains to the directions to impose any punishment other than the dismissal as well as awarding only 50% back wages. The petitioner employee has challenged the order of non granting 100% back wages and learned Industrial Court dismissed the complaint filed by the employee and allowed the complaint filed by the respondent.

- 5) I have gone through the orders passed by the Labour Court and Industrial Court. Labour Court allowed the complaint filed by the petitioner employee only on the ground that in the enquiry the petitioner has admitted that because of inadvertence he has not issued tickets to the passenger. On that count the enquiry was held to be illegal and improper by the Labour Court and complaint filed by the petitioner came to be allowed.
- 6) The learned Industrial court in a Revision filed by the respondent MSRTC has specifically observed that once it was admitted by the petitioner that he failed to issue tickets to the passengers, it is sufficient to infer that fraud was committed by the present petitioner and therefore, on that ground, the Revision filed by the respondent MSRTC came to be allowed.
- 7) In view thereof, I do not find any reason to interfere with the order passed by the Industrial Court under Article 227 of the Constitution of India. Hence, the present writ petition is dismissed. No order as to costs.

(SIDDHESHWAR S. THOMBRE, J.)