



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

65 WRIT PETITION NO. 9727 OF 2024

Dattarao Fakirrao Birgad

..Petitioner

Versus

Maharashtra State Road Transport Corporation
Through Its Divisional Traffic Superintendent

..Respondent

.....

Shri. Parag P. Shahane, Advocate for the Petitioner
Shri. A. B. Dhongade, Advocate for the Respondent

.....

CORAM : NEERAJ P. DHOTE, J.

Dated : APRIL 20, 2026

PER COURT :-

. The Petitioner has filed this Writ Petition under Article 227 of the Constitution of India against the order dated 15.07.2022 passed by the learned Labour Court, Nanded rejecting the Application below Exh.U-2 for Stay to the final show cause notice of dismissal dated 30.12.2020 issued by Respondent, in Complaint (ULP) No.05/2021.

2. Heard learned Advocate for the Petitioner and learned Advocate for the sole Respondent.

3. It is submitted by learned Advocate for the Petitioner that by virtue of interim order which was initially passed by the learned Labour Court and continued thereafter by the Industrial Court and by

this Court, the Petitioner is continued in the services of the sole Respondent. It is further submitted that, since the Petition arose out of the order of interim Application, the Petition can be disposed of by directing the learned Labour Court to decide the Complaint within the stipulated period.

4. It is submitted by learned Advocate for the sole Respondent that, the learned Labour Court and the learned Industrial Court has rightly passed the impugned orders and no interference was called for in the same.

5. The Petitioner is working as the Bus Conductor on the establishment of the sole Respondent. He was served with the Charge-sheet and after the Departmental enquiry the show cause notice was issued to him which he challenged before the learned Labour Court in the above referred Complaint (ULP). This Court by order dated 06.09.2024 continued the interim order passed by learned Industrial Court which was in existence and the same is in operation till date. What is impugned is the refusal of stay to the show cause notice. As the main proceedings are pending before the learned Labour Court and for a period of more than 5 years interim protection is operating in favour of the Petitioner, following order is passed :-

ORDER

(i) Learned Labour Court, Nanded, shall endeavour to finally decide the Complaint (ULP) No.05/2021 in accordance with law within a period of six (6) months from the date of receipt of this order. Interim protection, which is operating since beginning and continued by this Court, shall continue till disposal of the said Complaint by the learned Labour Court.

(ii) The Petition stands disposed of accordingly.

(NEERAJ P. DHOTE, J.)

GGP