



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
: NAGPUR BENCH : NAGPUR.

WRIT PETITION NO. 6600 OF 2024

THE DIVL. CONTROLLER, M.S.R.T.C., NAGPUR

VERSUS

GUNWANT S/o VENKATRAO CHOUDHARY

WITH

WRIT PETITION NO. 6696 OF 2024

DEPOT MANAGER NR-I, M.S.R.T.C., NAGPUR

VERSUS

PRABHAKAR S/o DAULATRAO BHAKTE

WITH

WRIT PETITION NO. 6601 OF 2024

THE DIVL. CONTROLLER, M.S.R.T.C., NAGPUR

VERSUS

DNYANESHWAR S/o RAMAJI DHONE

Office Notes, Office Memoranda of Coram,
appearances, Court's Orders or directions and
Registrar's order

Court's or Judge's Order

Mr. V. H. Kedar, Advocate for the petitioner
Mr. M. B. Joshi, Advocate for the respondents in all petitions.

CORAM : M. W. CHANDWANI, J.

DATE : FEBRUARY 25, 2026.

1. All the three petitions pertains to the issue of reversion of pay-scale of the respondents in contrast to the earlier judgments and orders passed by the Industrial Court in the respective complaints filed by the respondents. Further, since the petitioner in all the petitions is same and the respondents are its employees, all the three petitions are clubbed together and are decided vide this common order.

2. In an earlier matter with similar facts, while dismissing Writ Petition No.4173/2019 (Maharashtra State Road Transport Corporation, through its Divisional

Controller, Nagpur Vs. Ishwar s/o Marotrao Balpande, decided on 10.08.2023) filed by the petitioner-Corporation therein, it was observed thus:

“20. In the matter at hand, there is no dispute that earlier the respondent/complainant had approached to the Industrial Court by filing the Complaint (ULP) No.422 of 2006 for grant of benefits of time scale of pay after completion of 180 days of continuous service. The said complaint was allowed by the Industrial Court vide order dated 03.10.2008, directing the present petitioner to give all the benefits of regular time scale of pay to the respondent upon completion of 180 days of continuous service with all consequential benefits.

21. It is also not disputed that the said order and judgment was complied with by the petitioner by granting all the benefits to the respondent vide order dated 15.03.2010.

22. However, without issuing any show cause notice or without hearing the respondent, order dated 10.10.2015, re-fixing the salary of the respondent, was issued.

23. It is pertinent to note here that the order dated 10.10.2015 does not refer to the judgment in the case of M.S.R.T. Corpn. v. Premalal (supra) for revision of pay-scale. In the order dated 10.10.2015 no reasons are given for re-fixation of pay-scale of the respondent. Even there is no mention in the said order about any non-compliance of terms and conditions by the respondent as per the Settlement of 1956/Resolution 8856

or Settlement 1985.

24. It is also not in dispute that the judgment and order dated 03.10.2008 passed by the Industrial Court in Complaint (ULP) No.422 of 2006 has been confirmed by the Hon'ble Apex Court.

25. Thus, the said judgment and order of the Industrial Court has attained finality and therefore, it is not permissible for the Corporation to take away any benefits granted to the respondent/ complainant in pursuance to the said judgment and order dated 03.10.2008.

26. Thus, in contravention of the said judgment and order, issuance of order dated 10.10.2015, refixing the pay-scale of the respondent, is illegal and bad in law.

27. In the circumstances, I do not find any error committed by the learned Industrial Court in allowing the Complaint ULP No.307 of 2015 filed by the respondent by order dated 17.08.2018. In such circumstances, no interference is required in the present petition. Accordingly the writ petition is dismissed."

3. The above referred order in Writ Petition No.4173/2019 is squarely applicable to the present writ petitions. Accordingly, all the three writ petitions are dismissed.

(M.W.Chandwani, J.)