



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

WRIT PETITION NO. 8495 OF 2025

AYUB KHAN YUSUF KHAN PATHAN

VERSUS

M.S.R.T.C., THRU. ITS DIVL. CONTROLLER, CHANDRAPUR

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

Court's or Judge's Order

Mr. M. B. Joshi, Advocate for the petitioner.

CORAM : M. W. CHANDWANI, J.

DATE : JANUARY 06, 2026.

1. Heard Mr. M. B. Joshi, learned counsel appearing for the petitioner.
2. Considering the issue involved in this petition, I do not find it necessary to issue notice to the respondent. Therefore, the matter is taken up for final disposal at the stage of issuance of notice.
3. The petition challenges the award dated 25.04.2024 passed by the learned Judge, Labour Court, Chandrapur in Reference IDA No. 01/2022 whereby, the reference of the petitioner came to be partly allowed.
4. The petitioner was charge-sheeted for his absence from duty during the period from 01.02.2008 to 15.05.2008 without any prior permission and without any application. Upon enquiry, the petitioner was found guilty. The respondent dismissed the petitioner from service vide order dated 17.11.2008. The petitioner raised a dispute before the Labour Commissioner, who in turn referred it to the Labour Court, Chandrapur. The

petitioner contested the reference. The Labour Court partly allowed the reference by setting aside the order of dismissal and granting continuity in service and rejecting the claim of backwages. Feeling aggrieved with the order, the petitioner is before this Court.

5. It is pertinent to mention here that the Labour Court has not found any fault with the enquiry report holding the petitioner guilty for misconduct of absenteeism. The Labour Court, while setting aside the punishment of dismissal and granting relief of reinstatement with continuity of service, was of the opinion that non-payment of backwages will be the proportionate punishment for the charge proved against the petitioner.

6. Having considered the impugned order, I find that the Labour Court has dealt with the matter in a responsible and sensible manner. I do not find any fault with the impugned order and the punishment awarded to the petitioner.

7. Therefore, no interference is required in the impugned order in writ jurisdiction. Accordingly, the writ petition stands dismissed. No costs.

(M.W.Chandwani, J.)

Diwale