



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7817 OF 2018

Ambadas Mahadev Khade	..	Petitioner.
v/s.		
The State of Maharashtra		
& Another	..	Respondents.

Mr. P. B. Shah with Ms. Gunjan Shah i/b. Mr. Kayval P. Shah, for the Petitioner.

Mr. S.D. Rayrikar, AGP for the Respondent-State.

Mr. Nalvraj Jalota i/b. Mr. Ghanshyam K. Tripathi, for Respondent No.2.

CORAM: G.S. KULKARNI,J.

DATED : 29th SEPTEMBER, 2021.

PC:-

Heard Mr. Shah, learned Counsel for the Petitioner and learned AGP for the Respondent-State.

2 On perusal of the impugned awards dated 11th January, 2018 and 21st April, 2018 passed by the Presiding Officer, 2nd Labour Court, Nashik, *prima facie*, it appears that the punishment awarded to the Petitioner is harsh compared to the charges as set out in the charge-sheet.

3 It also appears that the material found in the premises of the Respondent-Establishment and in the locker which was alleged to be allocated to the Petitioner, a contrary evidence has come on record of the enquiry proceedings, as the witness on behalf of the Management has stated that there is nothing to show that the locker belonged to the Petitioner. If that be so, as to whether any relevance can be attributed to



the examination-in-chief of the said witness who stated that the keys were given by the Petitioner leading to the perversity of the impugned order as contended by Mr. Shah needs to be gone into.

4 The Writ Petition deserves final hearing.

5 Admit.

6 List the Petition on 27th October, 2021 at 4.00 p.m.

7 Reply affidavits, if any, be filed till the adjourned date of hearing.

8 A List of relevant dates and events as exchanged between the parties, be kept ready so that an endeavour can be made to hear and dispose of the Petition on the adjourned date of hearing.

(G.S. KULKARNI,J.)