

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2447 OF 1994
(THE MAH.STATE CO.OP.MAR.FED.LTD., KANMOOR HOUSE VS. YADAV
S/O EKNATHRAO SUMTHANE)
WITH
WRIT PETITION NO.2448 OF 1994
(THE MAH.STATE CO.OP.MAR.FED.LTD., KANMOOR HOUSE VS. VILAS
S/O MARUTRAO SOMARE)

Mr.E.P.Sawant, Advocate for the petitioner.
Mr.S.G.Rudrawar, Advocate for the respondents.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 18/06/2015

PER COURT :

1. Both these petitions were admitted on 22/09/2004 by this Court after passing the following order :-

“Rule.

Interim stay to the operation of impugned orders, subject to the condition that the petitioners shall continue the respondents in service on temporary basis in the light of policy decision of the Maharashtra State Co-operative Marketing Federation Ltd., dtd.25/07/1994 copy of which is produced at Exh.R/1 colly. At page No.37 of paper book.”

2. Mr.Sawant, learned Advocate on behalf of the petitioners in both these petitions places on record the copy of the order dated 01/01/1996 to indicate that the respondents herein have been absorbed in service and regularized. Their age of retirement is fixed at 58 years and the rules, regulations and conditions of service of the petitioner/Federation enforced

from time to time would be applicable to the respondents. He submits that their service conditions are set out in the said order in addition to those which the Federation has made applicable to them.

3. Mr.Sawant has also placed a copy of the communication dated 28/02/1996 addressed to him by the petitioners, on record.

4. He, therefore, submits that since the causes of action do not survive in these two petitions, the same be disposed of, as being infructuous. He further states that the similarly situated employees with the respondents, in large number, have been regularized in employment.

5. The documents placed on record by Mr.Sawant are marked as "X" for identification collectively.

6. In the light of the statement made on instructions and as recorded above and in the light of no objection of the respondents, both these petitions are disposed of, as being infructuous. Rule is, therefore, discharged.

(RAVINDRA V. GHUGE, J.)