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

CIVIL APPLICATION NO.7005 OF 2015  
IN  
WRIT PETITION NO. 1241 OF 2007

KALYAN BABU GIRI ..(Applicant)  
VERSUS  
DIVISIONAL CONTROLLER, MSRTC.... (Respondent)

WITH  
WRIT PETITION NO.1241 OF 2007  
THE DIVISIONAL CONTROLLER, MSRTC NANDED AND ANR  
(..Petitioner)  
VERSUS  
KALYAN BABU GIRI (..Respondent)

...  
Advocate for Petitioner : Mr.Wange Anand D.  
Advocate for Respondent : Mr.Mukund Ambekar.  
...

**CORAM: RAVINDRA V. GHUGE, J.**  
**DATE :- 02nd July, 2015**

Per Court:

(a) Civil Application No.7005/2015:-

1 The Applicant (original Respondent in Writ Petition) prays for listing Writ Petition No.1241/2007 for final hearing.

2 Since this Court is taking up old Writ Petitions instituted in the years 1994 and onwards, for final hearing on every Thursday, precedence cannot be given to this writ petition.

3           However, since Rule has been expedited by this Court by order dated 27.06.2008 and this matter having been listed for final hearing in the weekly boards commencing from 28.04.2014 and 09.10.2014, this Civil Application is partly allowed. Writ Petition No.1241/2007 be listed for final hearing in the week commencing from 05.10.2015.

(b) Writ Petition No.1241/2007:-

4           The Respondent submits that due to the pendency of this petition and despite having succeeded in the Courts below and though he was reinstated in employment and has now attained the age of superannuation, the gratuity has still not been paid.

5           Shri Wange, learned Advocate for the Petitioner, submits that he will take instructions from the Petitioner as to whether, the gratuity was paid to the Respondent. He seeks some time in order to make a statement.

6           Stand over to 24.07.2015 to enable the Petitioner to make a statement.

**(RAVINDRA V. GHUGE, J.)**