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

CIVIL APPLICATION NO.9744 OF 2015
IN
WRIT PETITION NO. 5427 OF 2015

WITH
WRIT PETITION NO. 5427 OF 2015

THE CHIEF OFFICER, MUNICIPAL COUNCIL, JALGAON
VERSUS
SURESH RAMDAS BARELA

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Advocate for Applicant/ Petitioner : Mr.Wani Girish V.

Advocate for Respondent : Mr.A.K.Tiwari.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 20th August, 2015

Per Court:

(a) Civil Application No.9744/2015:-

1 The Applicant prays for extension of time by 12 weeks to comply with the order dated 22.07.2015 passed by this Court in Writ Petition No.5427/2015.

2 The financial difficulties have been cited by the Applicant/ Petitioner. The amount that was directed to be deposited is with regard to the assessment of unpaid money/ dues. The Labour Court by it's

impugned judgment dated 19.12.2014 has allowed the application filed by the Respondent/ Employee under Section 33C(2) of the Industrial Disputes Act, 1947. The said judgment has been stayed subject to the depositing of the amount of Rs.2,15,000/-.

3 Shri Tiwari, learned Advocate has appeared on behalf of the Respondent/ Employee in this Civil Application as well as in the Writ Petition. He opposes the Civil Application on the ground that the money which was due to be paid to the Respondent by the Applicant/ Employer and which was unpaid has been rightly directed to be paid by the Labour Court vide the impugned judgment. He submits that on the one hand, this Court has stayed the impugned judgment and on the other hand, the Applicant is not depositing the money. A lame excuse has been put forth by the Applicant and hence, this Civil Application be rejected.

4 Having considered the submissions of the learned Advocates and the reasons cited in the Civil Application, the same is partly allowed by extending time to deposit the amount as directed upto 05.09.2015.

5 It is made clear that if the amount as directed by this Court is not deposited on or before 05.09.2015, the ad-interim protection granted by this Court shall stand vacated without reference to this Court. It is also

made clear that no plea for extension of time shall be entertained by this Court beyond 05.09.2015.

(b) Writ Petition No.5427/2014:-

6 The Writ Petition be posted on 09.09.2015 for further consideration.

(RAVINDRA V. GHUGE, J.)