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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10485 OF 2014

Shri Prashant Ramesh Pandat and others .. Petitioners

Vs.

Kolhapur Municipal Corporation and others .. Respondents

Mr.N.V.Bandiwadekar i/b Mr.Kirankumar J.Phakade, Advocate for the Petitioners.

Mr.Sagar A. Mane, Advocate for the Respondent No. 1.

Mr.Kiran S.Bapat, Advocate for Respondents No. 2 to 11.

Mr.B.V.Bukhari a/w Ms.Fauzia T.Bukhari, Advocate for Respondent No.12.

Mr.M.S.Topkar, Advocate for Respondent No.13 – Union.

CORAM : R.G.KETKAR, J.

DATE : 27th JANUARY, 2015

P.C. :

. Not on board. At the request of Mr.N.V.Bandiwadekar, taken up in the Production Board.

2. This matter is moved by way of praecipe dated 23/01/2015 for speaking to minutes of order dated 12/01/2015.

3. Heard learned Counsel appearing for the parties.

4. The learned Counsel appearing for the parties state that

i) Paragraph 2 of order dated 12/01/2015 which is as follows

“The parties have tendered the consent terms dated 12/01/2015 duly signed by Ms.Vijaylaxmi Prasana Bidari – Municipal Commissioner of Municipal Corporation of City of Kolhapur (for short 'K.M.C.') and Mr.Ramesh H.Desai – President of respondent No.13 – Union as also their Advocates.”

may be substituted as under by adding words and figures “in Writ Petition No. 10598 of 2014” at the end of the sentence.

“The parties have tendered the consent terms dated 12/01/2015 duly signed by Ms.Vijaylaxmi Prasana Bidari – Municipal Commissioner of Municipal Corporation of City of Kolhapur (for short 'K.M.C.') and Mr.Ramesh H.Desai – President of respondent No.13 – Union as also their Advocates **in Writ Petition No. 10598 of 2014.**”

ii) The sentence “The consent terms are taken on record and marked 'X' for identification” in paragraph 3 may be deleted.

iii) Paragraph 4 of the order dated 12/01/2015 which is as follows

“In view thereof, the petition is disposed of in terms of the consent terms dated 12/01/2015 and the judgment and order dated 05/11/2014 passed by the learned Member, Industrial Court No.1, Kolhapur in Complaint (ULP) No. 122 of 2002 is quashed and set aside and the said complaint is dismissed by consent of the parties. Order accordingly.”

may be substituted as under :

“In view of consent terms filed in Writ Petition No. 10598 of 2014, the impugned judgment and order dated 05/11/2014 passed by the learned Member, Industrial Court No.1, Kolhapur in Complaint (ULP) No. 122 of 2002 is quashed and set aside and the said complaint is dismissed by consent of the parties. Hence, this Writ Petition is disposed of accordingly.”

5. In view thereof, order dated 12/01/2015 stands corrected as follows:

i) Paragraph 2 is substituted as under in place of paragraph 2 of the order dated 12/01/2015 :

“The parties have tendered the consent terms dated 12/01/2015 duly signed by Ms.Vijaylaxmi Prasana Bidari – Municipal Commissioner of Municipal Corporation of City of Kolhapur (for short 'K.M.C.') and Mr.Ramesh H.Desai – President of respondent No.13 – Union as also their Advocates **in Writ Petition No. 10598 of 2014.**”

ii) The sentence **“The consent terms are taken on record and marked 'X' for identification”** in paragraph 3 is deleted.

iii) Paragraph 4 is substituted as under in place of paragraph 4 of the order dated 12/01/2015 :

“In view of consent terms filed in Writ Petition No. 10598 of 2014, the impugned judgment and order dated 05/11/2014 passed by the learned Member, Industrial Court No.1, Kolhapur in Complaint (ULP) No. 122 of 2002 is quashed and set aside and the said complaint is dismissed by consent of the parties. Hence, this Writ Petition is disposed of accordingly.”

6. Order stands corrected accordingly. Rest of the order stands as it is. Office to issue authenticated copy of this order.

(R.G.KETKAR, J.)