

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1886 OF 2015
IN
WRIT PETITION NO.1604 OF 2014**

Shri. Ganpat Ramchandra Babar Applicant

Vs.

Maharashtra State Road Transport Respondent
Corporation

Mr. Ravi P. Kadam, Advocate for the Applicant.

Mr. G.S. Hegde alongwith Mr. C.M. Lokesh, Advocate for the respondent.

Coram : Smt. R.P. SondurBaldota, J.

Date : 14th July, 2015.

P.C.

1 The petition herein was admitted on 17th December, 2014 and interim stay of the impugned order granted after hearing advocates for both the sides. The respondent has taken out this Civil Application for vacating the interim order, so that he can execute the impugned order. In the alternative, he seeks direction to the petitioner to deposit an amount of Rs.8,36,925/- towards back-wages, leave allowances etc. payable to the petitioner and liberty to withdraw the

amount after the deposit is made.

2 Since the order of interim stay was passed after hearing both the sides, any application for vacating the order can be maintained only in the event of change in the circumstances. No change in the circumstances has been pleaded in the application. As regards direction to the respondent to deposit the amount in this court by way of condition for stay of the impugned order, the same being at the discretion of the court and the discretion already been exercised by not imposing any condition, there cannot be a subsequent application for the purpose. Hence, the Civil Application is dismissed.

(Smt. R.P. SondurBaldota, J.)