

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 5371 OF 2015

Abdul Jalil S/o Abdul Raheman Sheikh

-vs-

State of Maharashtra, thr. its Secretary, Mumbai and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. A.N.Ansari, counsel for the petitioner.
Mr. N.R.Patil, AGP for the respondent Nos.1 to 3.

CORAM : SMT. VASANTI A. NAIK &
PRASANNA. B. VARALE, JJ.

DATE : 19.11.2015.

CIVIL APPLICATION (W) NO. 2315 OF 2015

Heard.

The proposed amendment does not change the nature of the petition. The prayer in the amendment application is granted. The amendment should be carried out within a period of one week. Civil application is allowed and disposed of.

WRIT PETITION NO. 5371 OF 2015

Heard.

A complaint was filed by the petitioner before the Industrial Court seeking certain reliefs. The complaint was allowed and the respondent No.2-Municipal Council filed a writ petition challenging the order of the Industrial Court. This Court disposed of the said writ petition along with connected writ petitions with the consent of the parties. By the said order, as far as permanency of the petitioner was concerned, the respondent No.2-Municipal

Council was directed to grant permanency to the petitioner only on receiving sanction from the Director of Municipal Administration as per Section 76 of the Maharashtra (Municipal Councils), (Nagar Panchayats And Industrial Townships) Act, 1965. Though the said order was passed on 10/02/2006, the petitioner is not aware whether the Director of Municipal Administration has granted sanction to the appointment of the petitioner. The petitioner was retired on attaining the age of superannuation in May, 2014. After his retirement, the petitioner has sought the pensionary benefits. The petitioner has now sought a direction to the respondent No.4 to send the proposal for sanctioning the post of the petitioner to the respondent No.2-Director of Municipal Administration.

Though we find that the action on the part of the petitioner is belated, we issue notice to the respondents, returnable **after three weeks.**

Learned Assistant Government Pleader Shri N.R. Patil waives notice on behalf of respondent Nos.1 to 3.

JUDGE

JUDGE