

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3902 OF 2016

Thane Municipal Corporation, Pachpakhadi, Thane (W) and another	..Petitioners
Versus	
Rajendra Gangaram Waghchaware and others	..Respondents

**Shri. N. R. Bubna for the Petitioners.
Shri. Shaikh M. Aslam for the Respondents.**

**CORAM : R. M. SAVANT, J.
DATE : 25th OCTOBER, 2016**

PC.

1 The Learned Counsel for the Petitioners Shri. N. R. Bubna states that the above Petition challenges the order dated 20.08.2015 passed b the Learned Member of the Industrial Court thereby allowing the application for interim relief being Exh.U-2 filed by the Respondent/Complainant. The Learned Counsel for the Petitioners states that the Complaint in question being Complaint (ULP) No.115 of 2015 has been withdrawn by the Respondent. The said fact is not disputed by the Learned Counsel for the Respondents. In view of the withdrawal of the said Complaint the challenge to an interim order passed therein does not survive. The Petition has accordingly turned infructuous. The Learned Counsel for the Respondents states that though the Complaint filed under Section 48 of the MRTU & PULP Act, 1971 being Misc. Criminal

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Complaint (ULP) No.61 of 2015 pending in the 2nd Labour Court, Thane has not been withdrawn the said Complaint does not survive in view of the withdrawal of the main Complaint (ULP) itself. In view of the said statement made by the Learned Counsel for the Respondents, the said Misc. Criminal Complaint (ULP) No.61 of 2015 would also stand disposed of. In the light of the above, the Petition is disposed of as having turned infructuous.

[R.M.SAVANT, J]