

Sequeira

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

WRIT PETITION NO. 772 OF 2002

Srinivas Manohar Dabholkar. .. Petitioner
Vs.
S.G.S. India Limited .. Respondent

**Along with
WRIT PETITION NO. 5256 OF 2001**

S.G.S. India Limited .. Petitioner
Vs.
Shriniwas Manohar Dabholkar. .. Respondent

Mr.N.M.Ganguli, for the Petitioner.
Mr.VN.Tayade, for the Respondent.

**CORAM: N.M. JAMDAR, J.
Wednesday, 17 February 2016.**

PC. :

On 14 January 2016 following order was passed.

'Learned counsel for the employer states that the activities of the Company are closed down and services of all the employees have been terminated and dues have been settled and, therefore, nothing survives in the matter. Learned counsel for the employee seeks time.

2 List the petitions on final hearing board in the week commencing from 15 February 2016.

3 If no counter-affidavit is filed by the employee, it will be presumed that the assertion made by the counsel for the employer is correct and appropriate orders will be passed.'

2. No counter affidavit is filed by the employee. The learned counsel for the employee states that the letter sent by him has returned on 19 January 2016 with a remark 'left' and the employees have not contacted him. The assertion of the learned counsel for the employer therefore, will have to be accepted. Both the Writ Petitions are accordingly disposed of as infructuous. In case instructions are received by the learned counsel for the employees and he is able to show that cause of action survives, it will be open for the employees to seek revival of the Petitions to be urged on merits. However, this liberty shall continue for a period of six months from today.

(N.M.Jamdar, J.)