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

WRIT PETITION NO. 2237 OF 1997

M/s. KND Engineering Technologies Ltd. ... Petitioner.

V/s.

Mr. Prabhakar R. Sawant and Anr. ... Respondents.

None for the Petitioner.

None for the Respondents.

CORAM : N.M. JAMDAR, J.

DATE : 04 JANUARY, 2016.

P.C. :-

On 29 April 1997 while issuing Rule, following order was passed :-

“ The present petition challenges the order dated 26th February 1997 passed by the Industrial Court, Bombay whereby the Petitioner is restrained from transferring Respondent No.1. Prima facie, the Industrial Court is not right in restraining the Petitioner from transferring the Respondent No.1 from Bombay to Calcutta.

Rule. Interim relief in terms of prayer (b).

Ms. Patankar for the Petitioner states that the Petitioner Company as and when necessary will grant leave to Respondent No.1 to attend the complaints pending in the Labour Court being Misc. Application (ULP) No. 84/96 and Complaint (ULP) No. 1242/96. She further states that the Petitioner will bear travel expenses of Respondent No.1.

Complaint (ULP) No. 1242/96 is expedited and the same be heard and disposed of within 6 months from today.”

2. The Petition arises from an interim order staying the transfer of the Respondent No.1 from Mumbai to Calcutta. By the interim order passed in this Petition, the order passed by the Industrial Court was stayed and the complaint was expedited.

3. None appears for the parties. It appears that in view of the order passed on 29 April 1997, the cause of action as far as the parties are concerned, does not survive. The Writ Petition is accordingly disposed of as infructuous.

(N.M. JAMDAR, J.)