

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

**CIVIL APPLICATION NO.7375 OF 1997
ALONGWITH
CIVIL APPLICATION NO.869 OF 1999
IN
WRIT PETITION NO.5327 OF 1997**

The Contract Labour And General Kamgar Union And Others	..	Applicants (Org. Respondents)
Versus		
Nashik Mahanagarpalika And Others	...	Respondents (Org. Petitioners)

.....

None for the Applicants/Original Respondents.
Mr. Girish R. Agrawal for Respondents Nos.6 And 7 in both Civil Applications.

.....

CORAM : S.C.GUPTE, J.

DATE : 1 AUGUST 2016.

P.C. :

. Heard learned Counsel for Respondent Nos.6 and 7. None appears for the Applicants (Original Respondents). Mr. Kiran S. Bapat, learned Counsel for the Applicants, on last two occasions submitted that though his name was appearing on board as Advocate for the Petitioners, he has conveyed his no objection for appointment of another Advocate as far back as in the year 1997.

2 Anyway, Civil Application No.7375 of 1997 seeks to set aside an interim order passed on 7 November 1997. The Petition is of the year 1997, as such long overdue for hearing. In the premises, I am not inclined

to consider the prayer for vacating the interim order which has been in place for 19 years. The Civil Application is, accordingly, dismissed.

3 There is another civil application, namely, Civil Application No.869 of 1999, on board seeking an order directing the Respondents to pay the workmen represented by the Applicants on par with the permanent workmen and helpers of Respondent No.1. Even this application has been pending since 1999. For the same reason as indicated in relation to Civil Application No.7375 of 1997, I am not inclined to interfere at this stage and pass any order for payment. The Petition itself may instead be taken up for hearing, since such hearing has been long overdue. This Civil Application is also, accordingly, rejected. No order as to costs.

4 Writ Petition No.5327 of 1997 to appear on board for final hearing on 18 August 2016. Office is directed to intimate the Petitioners about the next date of hearing of the Petition and file a report to that effect before the next date.

(S.C.GUPTE, J.)