

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3329 OF 2015
IN
WRIT PETITION NO.4987 OF 2011**

Bhaskar Mahadu Borse & Ors

..Applicants

Vs.

The Chief Officer Satana Nagar Parishad

..Respondent

Mr. M. A. Agavekar i/b Mr. Yogendra Pendse for the Applicant /original Respondent No.2

Mr. Bhushan Walimbe for the Respondent / original Petitioner

Ms M. S. Nimbalkar “B” panel counsel for the original Respondent No.3

CORAM : R. M. SAVANT, J.

DATE : 14th SEPTEMBER, 2016

P.C.

1 The above Civil Application has been filed for recall of the order dated 21-4-2014 and to direct the Applicants /original Respondents to implement the said order subject to the decision of the above Petition. By the said order dated 21-4-2014, the above Petition came to be admitted and interim relief came to be granted. By grant of interim relief, the order passed by the Industrial Court Nashik in Complaint ULP No.40 of 2008 has been stayed. The said order dated 21-4-2014 has been passed by a Learned Single Judge of this Court after hearing both the sides. However, the Learned Counsel appearing on behalf of the Respondent i.e. original Petitioner Mr. Walimbe submits that the Respondent i.e. the Satana Municipal Council, without prejudice to its rights and contentions has forwarded a proposal in respect of

the Applicant herein i.e. the original Respondent No.2 to the State Government for sanction. Hence though no relief of the nature sought by the Applicant in the above Civil Application can be granted, however, the State Government may consider the proposal submitted by the Respondent i.e. Satana Municipal Council in respect of the Applicant without being influenced by the fact that the above Petition is pending and that there are interim reliefs operating in the above Petition. The same to be done by the State Government expeditiously and in accordance with law. With the aforesaid directions, the above Civil Application is disposed of.

[R.M.SAVANT, J]