

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Amk

WRIT PETITION (L) NO. 884 OF 2016

M/s. Hindustan Construction Co. ...Petitioner
Ltd.

Versus

Kishore Govind Magar & Anr. ...Respondents

.....

Mr. Lancy D'souza a/w. Mrs. Deepika Agarwal i/b V. M. Parkar for the
Plaintiff.

Mr. Subhash Gutte for Respondent No.1.

CORAM : S. C. GUPTE, J.

DATE : 12th APRIL, 2016.

P. C. :

1. Heard the learned counsel for the parties. By consent of
the parties the petition is disposed of in terms of the following order:

(i) The impugned order dated 21.03.2016 passed by the
Industrial Court in Revision Application (ULP) No. 102 of 2015,
is set aside.

(ii) Respondent No.1 shall be permitted to withdraw a sum of
Rs.1.50 lacs from out of the amount deposited by the petitioner
before the Industrial Court in the Revision Application.

(iii) The Industrial Court shall dispose of the Revision
Application within a period of 3 months from today. The

Industrial Court, whilst deciding the Revision Application, shall take into account the adequacy of the documents produced by respondent No.1 to secure the house property unto the petitioner.

(iv) Respondent No.1 shall be at liberty to apply to the Industrial Court for release of further amount of Rs.1.50 lacs as and by way of an interim order for securing release of the house property offered as a security to the petitioner. All rights and contentions of the parties in that behalf and on the merits of such application are kept open.

(v) The Petition is disposed of accordingly. No order as to costs.

(S. C. GUPTE, J.)